

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5872 of 2020

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Deo Prasad (Male), aged about 66 years, Son of Sri Munilal Rai Resident of Shyam Path, Gali No.-10, Chandmari Road, P.S.- Kankarbagh, District-Patna, Pin Code- 800020.

... .. Petitioner/s

Versus

1. The Zonal Manager East Central Railway Hajipur.
2. The Chief Commercial Manager, Zonal Office Hajipur.
3. The Divisional, Railway Manager, East Central Railway, Danapur.
4. The Senior Divisional Commercial Manager, The East Central Railway, Danapur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Respondent/s : Mr. Ramadhar Shekhar, Advocate

: Mr. Kumar Alok, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-11-2021

The petitioner has prayed for the following reliefs:

“(i) For quashing the impugned letter dated 11.11.2019 issued by Senior Divisional Commercial Manager, Danapur, whereby and whereunder license of the multipurpose stall situated at platform no. 1 of Rajendra Nagar, has been increased from Rs. 22,846/- to Rs. 3,81,000/- per annum which will remain for the 1st 3 year, thereafter it shall be enhanced by 10 % for each of the remaining two



years with effect from 18.12.2018 from the date of conversion of book stall to multipurpose stall as per there own assessments of annual sale made by the authority behind back license holder which is against the principle of natural justice as such the same is not sustainable in eye of law and fit to be quashed.

(ii) Further for quashing the impugned letter dated 04.02.2020 by which petitioner has been directed to deposit arrears of revived license fee of Rs. 4,61,431/- which GST 18 % total amounting of Rupees 5,44,489/- otherwise license will be cancelled, issued by the catering inspector/PNBE.

(iii) Further for quashing the impugned letter dated 06.02.2020 issued by the Divisional Commercial Manager, Danapur whereby the partner of the petitioner (licencing holder) has been directed to deposit the license fee alongwith arrears and GST till 29.02.2020 otherwise necessary action will be taken.

(iv) Further during pendency of this writ petition the impugned orders may be stayed as the petitioner is ready to deposit the license fee but on old rate.”

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to the original licence holder to approach the authority for redressal of the grievances, in accordance with law.

Permission is granted.

The petition stands disposed of with liberty aforesaid.



Interlocutory application, if any, also stands disposed
of.

(Sanjay Karol, CJ)

(P. B. Bajanthri, J)

GAURAV S./
Sujit-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

