

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6013 of 2020

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M/s Sahity Sadan Platform No. 1 Railway Station Lakhisaray, through its proprietor namely Narendra Kumar (Male), Aged about Years, Son of Late Ram Baran Singh, Resident of Village- Rampur, P.O.- Mananpur, P.S. Chanan, District- Lakhisarai.

... .. 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

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 02-11-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“1. For quashing the impugned letter no. COM/BST/MPS/Conversion/LKR/18 dated 03.12.2019 issued by the Sr. Divisional Commercial Manager, Danapur whereby the license fee of MPS Stall has been increased from Rs. 11000/- to 1,07,000/- without giving proper opportunity the petitioner which is unnatural and unjustified.



(ii). Further for quashing the impugned letter dated 11.02.2020 whereby the petitioner has been directed to pay the enhance amount by 29.02.2020 otherwise the appropriate legal action would be taken which is sustainable in the eye of law.

(iii) further during pendency of this writ petition the kindly be stayed. impugned orders may kindly be stayed.

(iv). To grant any other relief for which the petitioner is entitled to get in the eye of law.”

Finding the Bench not to be in favour of the submissions made across the Bar, learned counsel for the petitioner states that petitioner shall be content if petitioner is permitted to approach Respondent No. 4 for redressal of the grievance(s).

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach Respondent No. 4, namely the Senior Divisional Commercial Manager, The East Central Railway, Danapur within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The said respondent shall consider and dispose it of expeditiously by a reasoned and speaking order preferably



within a period of four months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All questions of fact and law are left open;

(h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.



Interlocutory Application(s), if any, stands disposed
of.

(Sanjay Karol, CJ)

(P. B. Bajanthri, J)

Vikash/-
P.K. Pathak/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

