

28.04.2021
SL No.12
Court No.17
(sg/gc)

WPA 10056 of 2021

**M/s. Jayanta Kumar Ghosh Outdoor
Catering Pvt. Ltd.**

Vs.

**Indian Railway Catering and Tourism
Corporation Ltd. (IRCTC) & Anr.**

(Via Video Conference)

Mr. Priyankar Saha,
...for the Petitioner.
Mr. Amitesh Banerjee, Sr. Adv.,
...for the Respondents.

This is a writ petition, *inter alia*, praying for relaxation of terms of payment of lease fee as contained in the relevant tender based on which the license was awarded vide order dated 19th March, 2021 in favour of the writ petitioner for providing On-board Catering Services for a period of six months and for which the stipulated license fee as contained in the said order dated 19th March, 2021 was required to be paid. In receipt of this work order dated 19th March, 2021 which is at Page 62, Annexure-P2 to this writ petition, the petitioner has preferred a representation dated 18th March, 2021 addressed to the Group General Manager, Indian Railway Catering and Tourism Corporation Ltd., the respondent No.2 herein, praying for relaxation of condition of payment of license fee upon permitting the petitioner to pay the same on a month by month basis instead of payment for three months.

The grievance which has been voiced on behalf of the writ petitioner before this Court today is that in spite of preferring any such representation dated 18th March, 2021, Annexure-P3 to this Writ petition at Page 66, the same has been kept pending without taking any decision.

This Court has heard the learned Advocate representing the writ petitioner as well as Mr. Banerjee, learned Senior Advocate representing the contesting respondents and considered the materials on record. On consideration of the contents of the representation dated 18th March, 2021 and the submissions made on behalf of the respective parties, the Group General Manager, the respondent No.2 herein, is directed to take a decision on the said representation dated 18th March, 2021 within a period of two weeks from the date of communication of this order and the decision to be taken based on such representation to be communicated to the writ petitioner within one week thereafter.

Since this Court has not called for filing of any affidavits, allegations contained in the writ petition are deemed not to have been admitted.

With the aforesaid observation, the writ petition stands disposed of.

However, there shall be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official website of the High Court at Calcutta.

(Saugata Bhattacharyya, J.)