

13.08.2021.
Item no. 68.
Court No.13
ap

**W.P.A. No. 12476 of 2021
(Through Video Conference)**

**Eldyne Electro Systems Private Limited & Anr.
Versus
Union of India & Ors.**

Mr. Anindya Kumar Mitra, Id. Sr. Advocate,
Mr. Abhrajit Mitra,
Mr. Soumya Roy Chowdhury,
Mr. Arnab Sardar.

...For the petitioners.

Mr. D.K. Singh,
Ms. Saptomita Pramanick.

...For the respondents.

Affidavit-of-service filed in Court today is taken
on record.

The writ petitioners are aggrieved by a notice to
show-cause dated 21st April, 2021, issued by the
Research Designs and Standard Organization of the
Railways at Lucknow.

The sum and substance of the notice is that the
writ petitioners were required to produce documents
clearly evidencing transfer of technology and
appropriate collaboration with the German maker of
signaling equipment supplied to Railways.

Admittedly, the petitioners supplied such
equipment to the Railways for a substantial period of
time prior to the show-cause.

The petitioners have submitted documents in
response to the said notice dated 21st April, 2021 but

the respondents have not taken any decision in the matter.

This Court is of the view that the writ petition is premature.

The arguments and objections of the Counsel for the Railways that this Court may not have territorial jurisdiction to receive the instant writ petition are not dealt with since this Court is not inclined to entertain the writ petition at this stage.

The instant writ petition is dismissed with liberty however reserved to the petitioners to approach a Court of competent jurisdiction in the event any decision is taken by the Research Designs and Standard Organization, Lucknow.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(*Rajasekhar Mantha, J.*)