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***IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Judgment delivered on: 27.08.2021

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W.P.(C) 9174/2021

MANGLAM EXPRESS CARGO PVT LTD

..... Petitioner

versus

UNION OF INDIA & ORS.

..... Respondent

Advocates who appeared in this case:

For the Petitioner:

Mr. Chetan Wahi, Advocate.

For the Respondent:

Mr. Jagjit Singh, senior panel counsel for Railways
with Mr. Preet Singh, Advocate.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The hearing was conducted through video conferencing.
2. Petitioner seeks a direction to the respondents to release the security deposit with respect to Train No. 14212 FSLR 2nd Ex. NDLS to AGC, Train no. 2808 FSLR 2nd Ex. HNKM to VSKP, Train no.-362 RSLR Ex. DLI to AGC & Train no. 2808 FSLR 1st Ex. HNKM to VSKP.
3. Learned counsel for the petitioner submits that the contract has been successfully concluded and the contractual period is over. As per the standard clause, security deposit has to be refunded after three months of the successful expiry of the contractual period.

W.P.(C) 9174/2021

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4. Issue notice. Notice is accepted by learned counsel appearing for respondent. With the consent of parties petition is taken up for final disposal.

5. There is no dispute that the contract has been successfully completed and contractual period is over. Three months have elapsed from the expiry of the said period.

6. The facts of the present writ petition are identical to the facts of the writ petition being W.P.(C) No.2989/2019 and W.P. (C) 910/2019. Said writ petitions have been allowed by this Court on 17.01.2019.

7. For the same reasons, the present writ petition is also allowed. Respondents are directed to ensure refund of the security deposit for the four trains totaling to Rs.3,27,900/- (i.e. Rs. 46,000/-, Rs. 1,20,040/-, Rs. 41,320/- and Rs. 1,20,540/- respectively) within a period of eight weeks from today. In case, the refund is not made within eight weeks, petitioner shall be entitled to interest @ 10% per annum w.e.f. the date of filing of the present petition.

8. Copy of the Order be uploaded on the High Court website and be also forwarded to learned counsels through email.

SANJEEV SACHDEVA, J.

AUGUST 27, 2021
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W.P.(C) 9174/2021

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