

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3177 of 2022

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Shyam Kishore Prasad, Son of Nathuni Sah, Resident of Village- Hayaghat,
P.S.- Hayaghat, District- Darbhanga.

... .. Petitioner/s

Versus

1. The Union of India through the General Manager, Eastern Central Railway at Hajipur.
2. The General Manager, Eastern Central Railway at Hajipur.
3. The Divisional Rail Manager (Commerce), East Central Railways, Samastipur.
4. The Sr. Divisional Commercial Manager, East Central Railways, Samastipur.
5. The Chief Commercial Inspector, Eastern Central Railways, Samastipur.
6. The Station Superintendent, Hayaghat, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Advocate

For the Respondent/s : Dr. K.N. Singh, A.S.G.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-04-2022

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

“For issuance of appropriate writ or writs direction or directions to the respondents for quashing/setting aside the impugned letter bearing letter no. C/470/Hayaghat/1 dated 08.12.2021 issued by the respondent no. 3 whereby and whereunder he has informed the petitioner to ensure payment of the total due amount of License of catering stall of the petitioner amounting to Rs. 2,05,389, GST Rs. 39240 and service Tax Rs. 3805, Grand Total 2, 48,434/- within seven days, otherwise the license of the Catering



stall of the petitioner shall be cancelled and/or issuance of appropriate writ/writs under the fact and circumstances of the case.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

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

(a) Petitioner shall approach the authority concerned i.e. Respondent No. 5, namely, The Chief Commercial Inspector, Eastern Central Railways Samastipur, by filing a representation for redressal of the grievance(s);

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



within a period of three 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 arises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits of the matter. All issues are left open;

(h) We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of three months from the date of its presentation.



The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	22.04.2022
Transmission Date	

