

21.04.2022.
Court No.13
Item No. 109
ap

**W.P.A. No. 5945 of 2022
(Through Video Conference)**

**M/s. Maa Tara Canteen
Versus
Union of India & Ors.**

Mr. Golam Mustafa.

...For the petitioner.

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

The writ petitioner is aggrieved by an order dated 23rd March, 2022 issued by the Senior Divisional Commercial Manager, Kharagpur, on behalf of the Railways.

By the impugned order, a two wheeler cycle/motor cycle/scooter parking contract at Radhamohanpur Railway Station previously awarded to the writ petitioner has been terminated.

The ground for termination is that the petitioner has sublet the said contract to one Milan Sarkar.

Counsel for the petitioner, Mr. Golam Mustafa, submits that the petitioner was compelled to take possession of the subject parking space, due to obstruction and intimidation by certain persons.

This Court notes that there are disputed questions of facts, that cannot be gone into under Article 226 of the Constitution of India.

Hence, the instant writ petition shall stand disposed of without any order, however, reserving liberty to the petitioner, to approach the appropriate civil, contractual and other statutory forum to ventilate his grievances against the respondents.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)