

Neutral Citation: 2023:PHHC:040558
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 1952 of 2021 (O&M)
DECIDED ON: 20th March, 2023

K.K. Kapoor and Sanjeev Kapoor, Partnership Firm
through its partner Sanjeev Kapoor

.....PETITIONER

VERSUS

Sanjeev Mittal, Chairman, Indian Railway Stations Development
Corporation Limited and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Narender Pal Bhardwaj, Advocate and
Ms. Prabhleen Kaur, Advocate for petitioner.
Mr. Indresh Goyal, Advocate for respondents.

AVNEESH JHINGAN, J (ORAL)

This contempt petition is filed alleging disobedience of order dated 15th July, 2021 passed in CWP No. 7480 of 2021 (for short 'writ petition').

The brief facts are that the petitioner was running a *Snack bar* at Platform No.1 of Chandigarh Railway Station. The petitioner approached this Court by filing writ petition with a prayer to extend the tenure of catering agreement/licence of petitioner beyond 31.3.2021 till fresh allotment or till finalisation of tenders.

The petition was disposed of on 15th July, 2021.

Operational part of order is reproduced below:

*"Needless to say the petitioner would be permitted to operate the 'Snack Bar' in question till fresh allotment by respondents No.5 & 6 and this order is without prejudice to the rights of the petitioner to participate in the process of fresh allotment as well as seeking renewal of his licence in terms of the judgment of Hon'ble Supreme Court in "**Senior Divisional Commercial Manager and others Vs. S.C.R. Caterers, Dry Fruits, Fruit Juice Stalls Welfare Association and another**" 2016 AIR (SC) 668.*

Writ petition is disposed of accordingly."

The grievance raised by learned counsel for petitioner is that the application for renewal of licence was rejected by the respondent.

Learned counsel for respondent submits that the application was considered in accordance with law finding that the unit operated/snack bar by the petitioner no longer fell in minor category. The prayer for renewal was rejected. He further relies upon the fact that writ petition filed by the petitioner challenging the order of rejection was dismissed.

From the perusal of direction issued by this Court, it is evident that application of snack bar was extended till fresh allotment and extension was without prejudice to the right of petitioner to participate in tender as well as seeking renewal of licence. The petitioner never participated in the tender process and his renewal application was rejected.

No case is made out for contempt as there was no direction by this Court to the respondent to renew the licence.

Dismissed.

Since the main case has been dismissed, pending application, if any is rendered infructuous.

20th March, 2023

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>