

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.997 of 2024
In
Civil Writ Jurisdiction Case No.7146 of 2024

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M/s Dwarika Prasad and Sons, Misc. Contractor, Patna through its Partner
Lakshmi Devi, W/o Late Deomani Prasad, aged about 66 Years, Female,
Resident of Village- Tehta Math, P.S. - Makhdumpur, District- Jehanabad.

... .. Appellant/s

Versus

1. The Indian Railways through its Secretary, Ministry of Rail, Rail, Rail Bhawan, New Delhi.
2. The Indian Railway Catering and Tourism Corporation Limited, (I.R.C.T.C), Eastern Zonal Office, 3-Koyalaghat Street, Ground Floor, Kolkata-1.
3. The Regional Manager, Indian Railway Catering and Tourism corporation Limited (I.R.C.T.C.), Eastern Zonal Office, 4th Floor, BISCOAUN Bhawan, West Gandhi Maidan, Patna.
4. The Chief Commercial Manager/Catering, E.C. Railway Hajipur.
5. The Sr. Divisional Commerical Manager, Danapur.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Bishwajeet Singh, Advocate
For the Respondent/s	:	Dr. K.N. Singh, Additional Solicitor General
		Mr. Kumar Ravish, CGC

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 29-10-2024

The appellant, in the judgment impugned, was granted three months' time on his own for making alternate arrangements and vacating the subject premises. The monthly charges were also directed to be paid without fail by the 10th of every month.

2. The learned Counsel for the appellant submits



that the Hon'ble Supreme Court, in similar circumstances, has granted further time.

3. We find from the order produced before us in **Special Leave to Appeal (C) No(s). 19229/2024** that in an LPA arising from the judgment of the High Court of Delhi, the Hon'ble Supreme Court refused to interfere with the impugned judgment but granted further four months' time. We are unable to find a binding precedent from the further directions issued and we are not apprised of the facts of the cited case.

4. In the present case, the appellant's contention is only for four months' time, while the learned Single Judge granted only three months. As of now, three months, as granted by the learned Single Judge is elapsing tomorrow.

5. The petitioner will be granted one month further time to vacate the premises.

6. The appeal stands disposed of.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

aditya/-

AFR/NAFR	
CAV DATE	
Uploading Date	30.11.2024.
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