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jdt. 22.01.2024
jb.

W.P.A. 10318 of 2023
(Harsh Transport Pvt. Ltd. vs. Union of India & Ors.)

Mr. Saptarshi Roy
Ms. Kakali Das Chakraborty
... For the Petitioner
Mr. Amitabha Nayak
Ms. Rivu Dutta
Mr. Rhitam Chatterjee
... For the Union of India

Report in the form of affidavit submitted on behalf of the Railway Authorities is taken on record.

Learned counsel for the Railway Authorities refers to paragraph 10 of the report which is set out:

“10. I submit that, in view of the facts stated above, This Hon’ble Court may be pleased to direct the petitioner/leaseholder to apply before the Railway authorities for permission for loading and unloading at new additional intermediate stations not originally mentioned in the tender in terms of clause 23.3.1 of Freight Marketing 17 of 2015 dtd. 17.08.2015 as applicable for Parcel vans having stoppage time of 10 minutes and above which the Railway is willing to allow.”

In view of the above, the petitioner is directed to submit such application before the 4th respondent within 7 days from date. The 4th respondent is directed to consider the said application in terms of para 10 of the report in the form of affidavit submitted today within two weeks from the date of receipt thereof upon

affording reasonable opportunity of hearing to the petitioner.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

Since nothing further remains to be adjudicated in the writ petition, the same is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)