

13.08.2024
Court No.09
Item no.04
CP

WPA No. 20162 of 2024

Renu Gupta
Vs.
Indian Railways & ors.

Ms. Sonal Shah,
Mr. Aniket Chaudhury
Mr. Shashwat Nayak

...for the Petitioner.

Mr. Swapan Kumar Roy
Ms. Banani Bhattacharya

...for the Railways.

Mr. Sarosij Dasgupta
Mr. Sabyasachi De
Ms. A. Begum
Mr. Steven S. Biswas

.....for the respondent no. 6.

The petitioner prays that she may be allowed 141 days, over and above the time already allowed to the petitioner to continue with the shop in the light of the railway board's notification dated May 21, 2020. It is contended that similarly situated persons were allowed extension of their contract for 495 days but the petitioner was given only 68 days.

Mr. Roy, learned Advocate appearing for the railways, submits that the case of the petitioner cannot be considered as the petitioner has been given adequate opportunity to run the business. At present, continuation of erstwhile licences cannot be allowed. The authority has decided to

go for a fresh tendering process. It is further submitted that there is an arbitration clause.

Under such circumstances, the writ petition is disposed of directing the Senior Divisional Commercial Manager, South East Railway, Kharagpur to treat the writ petition as a representation of the petitioner and dispose of the same in accordance with law upon hearing the petitioner.

The said decision shall be taken within a period of two months from the date of communication of this order. Till such time, the petitioner shall be allowed to run her shop without prejudice to the rights and contentions of the parties and upon payment of usual licence fees and other compliances. The decision of the authorities shall be binding and a reasoned order shall be communicated.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)