

30.09.2024
Court No.09
Item no.19
CP

WPA No. 24100 of 2024

Arunashish Naha
Vs.
The Union of India & ors.

Ms. Sonal Shah
Mr. Aniket Chaudhury
....for the petitioner.

Mr. Ashok Bhaumik
.....for the respondents.

The petitioner contends that the petitioner may be allowed some more time, 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.

Mr. Ashok Bhaumik, learned advocate appearing for the respondents, submits that the case of the petitioner cannot be considered as the petitioner has been given adequate opportunity to run the business, by an extension on account of covid. 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, Eastern Railway, Asansol 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 his shop upon payment of usual licence fees and other compliances. The decision of the authorities shall be binding and a reasoned order shall be communicated.

If the authority decides against the petitioner, the authority will be at liberty to take appropriate steps in accordance with law, after expiry of the aforementioned period.

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.)