

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.5159 OF 2024

M/s. Three Star Services Co.

A Sole Proprietary Firm

Through its Sole Proprietor

Mr. Pramod Bharat Duchal

: Petitioner.

Vs.

Union of India

Through its Ministry of Railways & ors.

: Respondents.

Mr. Sumit Kothari a/w Mr. Shivraj Patne for the Petitioner.

Ms. Leena Patil for Respondent Nos.1 to 3.

Mr. Anjani Kumar Singh a/w Mr. Sanjay Sinha i/by Hammurabi
and Solomon Partners for Respondent No.4.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE : 24th APRIL, 2024

P.C. :

1. The challenge in the present Petition is to two Termination Notices both dated 28th March 2024 (Exhibit M and Exhibit N) issued by Respondent No.3 to the Petitioner by which two contracts entered into between the Petitioner and Respondent No.3 in respect of two Railway Stations namely Latur and Wadi have been terminated.

2. Mr.Kothari, Learned Counsel appearing on behalf of the Petitioner, submitted that aside from the contract in question, the Petitioner has 13 other ongoing contracts with the Respondents/Railways (more particularly set out in Exhibit-P at page 296 to the Petition), payments under all of which have been stopped pursuant to the policy in place of Respondent No.4.

3. We had on the previous occasion inquired from Learned Counsel appearing on behalf of Respondent No.4 as to how payments in respect of other contracts for which there was no complaint/dispute could be stopped. He, however, is unable to offer an explanation and once again seeks further time for instructions.

4. Ms. Patil, Learned Counsel appearing on behalf of Respondent Nos. 1 to 3, submits that in the event the Petitioner submits manual/physical bills in respect of amounts due under

other 13 contracts, listed in Exhibit-P, the same could be processed, if found due and payable. In view of this, the Petitioner is permitted to file manual/physical copies of bills/invoices in respect of the contracts listed at Exhibit-P. In the event that the same are due and payable and other requisites are fulfilled, payment to the Petitioner of the same shall be made.

5. The Respondents to file their respective Affidavits in Reply within a period of four weeks from today. Rejoinder Affidavit, if any, shall be filed by the Petitioner within a period of two weeks thereafter.

6. Stand over to **26th June 2024.**

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)