



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF MARCH, 2024

BEFORE

THE HON'BLE MR JUSTICE M.NAGAPRASANNA

WRIT PETITION NO. 29259 OF 2023 (GM-TEN)

BETWEEN:

SOUTH WESTERN RAILWAY CATERING
CONTRACTORS ASSOCIATION (REGD.)
NO.14Y, 1ST FLOOR, 16TH MAIN,
3RD BLOCK, RAJAJINAGAR, BANGALORE - 560010
REP. BY ITS GEN SECRETARY
V.S. MANOGAR S/O LATE DS VITAL
AGED 62 YEARS
REG. UNDER KARNATAKA REGISTRATION ACT, 1961

...PETITIONER

(BY SRI. JAVEED S., ADVOCATE)

AND:

1. THE UNION OF INDIA
THE MINISTRY OF RAILWAYS, RAISINA ROAD,
NEW DELHI - 110 001
REP. BY ITS SECRETARY
2. THE EXECUTIVE DIRECTOR
(TOURISM AND CATERING)
THE DEPARTMENT OF TOURISM AND CATERING,
THE RAILWAY BOARD, RAIL BHAWAN,
RAISINA ROAD, NEW DELHI - 110 001.
3. THE DIRECTOR (TOURISM AND CATERING)
THE DEPARTMENT OF TOURISM AND CATERING,
THE RAILWAY BOARD, RAIL BHAWAN,
RAISINA ROAD, NEW DELHI - 110 001.

Digitally signed
by NAGAVENI
Location: HIGH
COURT OF
KARNATAKA



4. THE SENIOR DIVISIONAL COMMERCIAL MANAGER
(THE SR. DCM)
SOUTH WESTERN RAILWAYS, BENGALURU DIVISION,
DIVISIONAL OFFICE, COMMERCIAL BRANCH,
BANGALORE - 560023.
5. THE SENIOR DIVISIONAL COMMERCIAL MANAGER
(THE SR. DCM)
SOUTH WESTERN RAILWAYS, MYSURU DIVISION,
DIVISIONAL OFFICE, COMMERCIAL BRANCH,
MYSORE - 570021
6. THE CHIEF COMMERCIAL MANAGER,
THE CCM PRINCIPAL SOUTH WESTERN RAILWAYS,
HEADQUARTERS OFFICE, 2ND FLOOR, WEST WING,
GADAG ROAD, HUBBALLI - 580020.

...RESPONDENTS

(BY SRI. GOWTHAMDEV C. ULLAL, ADV.)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO a) CALL FOR RELEVANT RECORDS PENDING ON THE FILE OF RESPONDENTS-RAILWAYS. b) QUASH THE IMPUGNED TENDER / AUCTION CATALOGUE NUMBER SBC-MPS-73-F24 DATED 16/10/2023 ISSUED BY THE R4-SR. DCM, BENGALURU DIVISION, SWR VIDE ANNEXURE-E BY TREATING IT AS UNJUST, UNFIAR AND ULTRA VIRES; c) QUASH THE IMPUGNED TENDER / AUCTION CATALOGUE NUMBER SBC-MPS-74-F24 DATED 17/10/2023 ISSUED BY 4TH RESPONDENT-SR. DCM, BENGALURU DIVISION, SWR VIDE ANNEXURE-E-1 BY TREATING IT AS UNJUST, UNFAIR AND ULTRA VIRES.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING - 'B' GROUP, THIS DAY, THE COURT MADE THE FOLLOWING:



ORDER

The learned counsel for the petitioner files a memo seeking to withdraw the petition. The memo reads as follows:

" It is respectfully submits that the Petitioner has filed above case against the Respondents-Railways due to non adherence of reservation scheme in allocation of licenses in term of the Policy.

However the Respondents-Railways have assured to follow reservation scheme in allotment of Licenses.

Thereby it is warrant to withdraw the above case with liberty to file afresh, if needed. Hence this Memo.

Therefore it is prayed that this Hon'ble Court kindly allow this Memo to withdraw the above case with liberty to file afresh if needed, in the interest of justice and equity "

2. In terms of the memo, the writ petition is disposed as withdrawn.

**Sd/-
JUDGE**

KG
List No.: 1 Sl No.: 7