

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9593 of 2025**

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Sunglow Impex LLP having its registered office at 54A, Sarat Bose Road, Unit 3A, 3rd Floor, Arrjavv Park, Kolkata- 700025, through its Designated Partner Siddharth Poddar, aged about 44 years, Male, Resident of Gardenia Homes, Flat- 4-A, 2271/A, AJC. Bose Road, L.R. Sarani, Kolkata  
... Petitioner

Versus

1. The Union of India through the Secretary, Ministry of Railways, Government of India, New Delhi.
2. The Secretary, Ministry of Railways, Government of India, New Delhi.
3. The General Manager, East Central Railway, Hajipur, Vaishali.
4. The Division Railway Manager, Samastipur Division, East Central Railway, Samastipur.
5. The Chief Freight Transportation Manager (CFTM), East Central Railway, Hajipur (Vaishali).  
... Respondents

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**Appearance :**

For the Petitioner : Mr.Chandan Kumar, Adv.  
For the Respondents : Mrs. Kanak Verma, CGC

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**CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY**  
**ORAL ORDER**

2      09-07-2025                      Heard the parties.

2. The counsel for the petitioner has appeared through video conferencing.

3. The present writ petition has been filed for the following relief(s) :

*i) Direction upon the Respondent Railways to not restrict the loading and unloading of Steam Coal at Traffic Raxaul Goods Shed, Raxaul under the garb of the Restriction Message dated 30.09.2023 issued by CFTM, East Central Railway, Hajipur whereby restriction on loading/unloading of Clinkers, Coal Dust, Gypsum and fly ash was directed in view of the pendency of case being MJC No. 2697 of 2019;*



*ii) Holding that no restriction on loading of Steam Coal at Traffic Raxaul Goods Shed, Raxaul could be imposed without any order to that effect issued by a competent authority in accordance with law; and/or for any other relief or reliefs to which the Petitioner is found entitled in the facts and circumstances of this case.*

*iii) Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.*

4. It is the case of the petitioner that it is engaged in the business of export of steam coal to Nepal by providing transportation. That the port of discharge is at Traffic Raxaul Goods Shed, Raxaul. That the respondent authority has issued a message dated 30.09.2023 restricting the loading/unloading of clinker, coal dust, gypsum and fly ash at Traffic Raxaul Goods Shed, Raxaul. That the petitioner has no grievance with the said decision. However, the authorities have started restricting the loading and unloading of other goods other than clinker, coal dust, gypsum and fly ash at Traffic Raxaul Goods Shed, Raxaul.

5. Learned counsel appearing on behalf of the petitioner has stated that the authorities cannot impose any



restrictions for loading and unloading of other types of coal products which are other than the clinker, coal dust, gypsum and fly ash. Learned counsel has stated that besides the four items which are restricted, there cannot be any oral restriction on the other goods. Learned counsel for the petitioner has drawn the attention of this Court to the list of coal and other coal products. Learned counsel for the petitioner has therefore, prayed this Hon'ble Court to allow the present writ petition.

7. When queried by this Court as to whether any order has being passed restricting the loading and unloading of items other than the clinker, coal dust, gypsum and fly ash, the counsel for the respondent authorities has fairly stated that there is no written orders in so far as the other goods are concerned except the above four items. This Court under similar circumstances has allowed the C.W.J.C. No. 1007 of 2024 filed for similar relief vide order dated 21.04.2024.

8. Having regard to the same, the present writ petition is allowed and the respondent authorities are directed not to cause any impediment for loading and unloading of goods other than the clinker, coal dust, gypsum and fly ash at Traffic Raxaul Goods Shed, Raxaul. This order does not preclude the authorities from passing any written orders restricting the



movement of any other goods which may cause pollution in the said area.

9. With the above directions, the present writ petition stands allowed to the extent indicated.

(A. Abhishek Reddy , J)

Shamshad/-

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