

D/L 10
14.01.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 926 of 2025

Bhanu Saha
Vs.
Union of India & Ors.

Mr. Bipul Mondal
Ms. Tuli Sinha

...for the Petitioner.

Mr. Kalyan Kumar Chakraborty
Ms. Rama Chakraborty Mukherjee

...for the Union of India.

1. The petitioner has been granted a contract for two wheeler parking at Nabadwip Dham Railway Station valid from 12th June, 2024 till 11th June, 2027.
2. He is aggrieved by the notice inviting e-tender published by the railways for conducting fresh auction scheduled today for allotment of parking space of two wheelers at Nabadwip Dham Railway Station.
3. It is the contention of the petitioner that, if he is paying the highest license fee and if a third person is awarded further contract for the parking lot, then his business will suffer immensely.
4. Prayer has been made to direct the authority not to proceed with the auction for allotment of space for parking of two wheelers at Nabadwip Dham Railway Station.
5. Upon hearing the submission made by the parties and upon perusal of the documents annexed to the writ petition admittedly, it appears that the petitioner is an existing contractor for two wheeler parking at the said railway station. The railways, for the purpose of generating revenue, is conducting further auction of a separate space for two wheeler

parking. Only because of the reason that the petitioner's business will suffer, prayer made by the petitioner to restrain the authority from proceeding with the auction process in respect of a different place at the same railway station, cannot be entertained. The petitioner cannot stand in the way of an healthy competition and at the same time cannot restrict the railways from utilizing their land as per their own requirement.

6. In the event the petitioner intends to use the place put up for auction for parking of two wheelers, it will be open for the petitioner to participate in the e-auction process.
7. No relief can be granted to the petitioner in the instant writ petition.
8. The writ petition fails and is hereby dismissed.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)