

11-04-2025
Item No.22
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.8359 of 2025
M/s A.H. Wheeler & Co. (Pvt.) Ltd.

-vs-

Indian Railways & Ors.

Ms. Sonal Shah
Mr. Kushagra Shah
Ms. Rittika Banerjee ...for the petitioner

Mr. Asok Bhaumik ...for the respondents

1. The petitioner is running a multipurpose stall in platform no.1 of BGP, JMP and SBG railway station. The contract agreement of the petitioner is due to expire on April 11, 2025 inclusive of the extension period given due to COVID-19 pandemic.
2. Learned counsel for the petitioner submits that the authority ought to have allowed ninety days dies non period.
3. Prayer has been made to permit the petitioner to continue for a period of ninety days after expiry of the actual contract period.
4. Learned counsel for the railways submits, upon instructions, that the contract of the petitioner initially expired on January 31, 2025. Seventy days dies non period was allowed to him and the date of expiry of the said period is on April 11, 2025.
5. It has been submitted that fresh auction process has been initiated and that the petitioner ought to

participate in the said auction process.

6. It appears that the petitioner has already been allowed seventy days of the dies non period. In other matters, it appears that the authority allowed dies non period for ninety days.
7. For ends of justice, the authority is directed to allow twenty more days as dies non period to be counted from April 12, 2025.
8. Immediately on conclusion of the 20th day (i.e. on 1st May 2025), the petitioner shall remove the multipurpose stall from the subject platforms.
9. It will be open for the petitioner to participate in the auction process, if the process is still ongoing.
10. It is made clear that the Court has not interfered with the auction process conducted by the railways in any manner whatsoever.
11. The writ petition is disposed of.
12. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
13. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

