

16-09-2025
Item No.31
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.15236 of 2025
Sunrise Movers and Carriers LLP & Anr.
-vs-
Union of India & Ors.

Mr. Aurin Chakraborty
Mr. Iresh Paul
Mr. Shivam Debnath ...for the petitioners

Ms. Sanjukta Bhattacharya
Ms. Anitra Sinha Roy ...for the respondents

1. Pursuant to the direction passed by this Court on April 9, 2025 in an earlier writ petition (WPA No.7598 of 2025), the petitioners approached the General Manager (Operation), Eastern Railway by filing their representation.
2. The issue relates to payment of demurrage and wharfage charges. The General Manager (Operation) has passed an order during the pendency of the instant writ petition by holding that as per the Railway Rules, the General Manager (Operation)/Principal Chief Operations Managers are not the lawful authority to deal with the issue of waiver of the demurrage charge and wharfage charges arising in goods sheds. As per existing policy of the Indian Railways, the Principal Chief Commercial Manager/Eastern Railway is the authorized person to deal with such issue.
3. It appears that when the order was passed by the Court on April 9, 2025, learned counsel

representing the Railways did not point out that the General Manager (Operation) would not be the competent authority to decide such issue. Had that been so, the Court could have passed direction upon the competent authority to dispose of the petitioner's prayer.

4. Be that as it may, as the General Manager (Operation) has expressed that as per the policy of the Indian Railways, the Principal Chief Commercial Manager is the competent authority to decide the issue, accordingly, the petitioners are granted liberty to approach the Principal Chief Commercial Manager/Eastern Railway with their representation and all documents in support of their claim.
5. In the event the same is filed before the Principal Chief Commercial Manager/Eastern Railway, the same shall be considered in accordance with law, after affording reasonable opportunity of hearing to the petitioners and disposed of by passing a reasoned decision at the earliest, but positively within a period of four weeks from the date of submission of all documents.
6. The writ petition stands disposed of.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

