

28
02.09.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 30990 of 2024

**Hani Khatoon
-versus-
The Union of India & Ors.**

**Mr. Md. Sarwar Jahan,
Ms. Tapati Sarkar.
...For the Petitioner.**

**Mr. Mukesh Kumar Gupta,
Mr. Biswajit Maity.
...For UOI.**

1. Learned advocate appearing on behalf of the petitioner has drawn attention of the Court to the communication dated 21st August, 2025 made by the Assistant Commercial Manager, South Eastern Railway, Kharagpur wherefrom it appears that the petitioner has been directed to pay total lump sum freight/ rent/ licence fee along with penalty at the maximum rate for the subsequent days beyond the grace period upto the date of revocation.

2. The decision of the authority to impose penalty cannot be accepted in view of the fact that the order of termination and forfeiture of earnest money and licence fees deposited by the petitioner was set aside by the Court vide order dated 13th August, 2025.

3. After the Court has quashed the termination, the authority ought not to impose any penalty.

4. Learned advocate appearing on behalf of the petitioner submits that the petitioner is interested to proceed with the railway coach restaurant.

5. The break-up of the payment required to be made by the petitioner shall be placed before this Court on the returnable date.

6. Re-list the matter on 8th September, 2025.

(Amrita Sinha, J.)