



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 7036 OF 2024

(M/s. Sunshine Caterers Pvt Ltd Vs. Union of India, thr Divisional Railway Manager, Central Railway,
Nagpur)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

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Mr. Alpesh Deshpande, Advocate for petitioner,
Mr. S.A. Choudhary, Advocate for respondent.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATED : 25-03-2025

Mr. Chaudhary, the learned counsel for respondent invites attention to the communication dated 12.12.2024 (p59) written by the petitioner to the respondent which indicates that the stall of the petitioner was closed since 26.06.2024 and was never opened till 12.12.2024. Mr. Chaudhary submits that this position continued even thereafter and prevailing as on date.

2. This will point out to us that from the aforesaid date the petitioner has not operated the stall at all. In fact, it has come on record as is indicated by the communication dated 26.8.2024(p57) that the stall allotted to the petitioner was closed even prior thereto. That being the situation, we are not inclined to entertain the petition. The petition is dismissed. The amount deposited by the petitioner shall be refunded back to the petitioner as recorded in the order dtd. 16.1.2025 after deducting therefrom the amounts, which

may be found to be due and payable from him for the duration for which the stall was in operation, which shall be done within a period of four weeks from today.

(ABHAY J. MANTRI, J.) (AVINASH G. GHAROTE, J.)

Belkhede