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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 720/2025**

**ARVIND KUMAR**

.....Petitioner

Through: Mr. Jitender Mehta, Mr. Lalit Kumar  
and Mr. Shivam Pahal, Advocates.

versus

**UNION OF INDIA & ORS.**

.....Respondents

Through: Mr. Pradeep Kumar Jha, Senior Panel  
Counsel with Mr. Kanishk Kharbanda,  
Government Pleader for UOI.

**CORAM:**

**HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**

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**20.01.2025**

**CM APPL. 3548/2025 and 3549/2025**

1. Exemptions allowed, subject to all just exceptions.
2. Applications stand disposed of.

**W.P.(C) 720/2025 and CM APPL. 3547/2025**

3. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India laying a challenge to impugned letter dated 16.07.2021 issued by Respondent No.2 and Clause No. 11 of Commercial Circular No. 20/2017 pertaining to 'Catering Policy, 2017' dated 27.02.2017 issued by Respondent No. 3. Writ of mandamus is sought for a direction to the Respondents to renew the license of the Petitioner in respect of his Special Minor Unit (SMU)/Catering Stall No.2 at Platform No.1/2 of Pt. Deen Dayal Upadhyay Jn. Railway Station.



4. Petitioner was awarded license for running/operating one SMU/Catering Stall No.2 at Platform No.1/2 of Pt. Deen Dayal Upadhyay Jn. Railway Station for a period of five years at the stipulated license fee, commencing on 10.12.2019 and expiring on 09.12.2024. Petitioner avers that on account of Pandemic COVID-19, the stalls were shut and therefore, a policy decision was taken by the Respondents to give extension after treating the said period as *dies non* and while benefit of this decision was given to many contractors for varying periods over 300 days. Petitioner was granted extension only for 90 days and his license is expiring on 09.03.2025.

5. Learned counsel for the Petitioner, at the outset, submits that Petitioner does not press his challenge to the impugned letter dated 16.07.2021 and/or the Circular impugned herein and would be satisfied if he is given extension of 7 months as given to similarly placed Petitioners in ***Sree Venkateswara Enterprises v. Union of India & Ors., W.P. (C) No. 225/2025***, decided on 10.01.2025 and in ***Manohar Bachani v. Union of India & Ors, W.P.(C) No. 12398/2024***, decided on 11.09.2024.

6. Issue notice.

7. Mr. Pradeep Kumar Jha, learned SPC appearing on behalf of the Respondents accepts notice and does not dispute that Petitioner is similarly placed as the writ Petitioners in ***Sree Venkateswara Enterprises (supra)*** and ***Manohar Bachani (supra)***.

8. Indisputably, Petitioner was awarded a contract of operation of catering stall Platform No.1/2 of Pt. Deen Dayal Upadhyay Jn. Railway Station for a period of five years, which expired on 09.12.2024 as per the license Agreement but with the benefit of 90 days of *dies non* period, his license now expires on 09.03.2025. Petitioner seeks extension of 7 months



as was granted by this Court in *Sree Venkateswara Enterprises (supra)* and *Manohar Bachani (supra)*. There is no dispute between the parties that present Petitioner is similarly placed as the Petitioners in *Sree Venkateswara Enterprises (supra)* and *Manohar Bachani (supra)*, wherein the Courts in similar circumstances allowed the Petitioners to operate the Catering Stalls for a further period of 7 months from the date of expiry of the license. The Madhya Pradesh High Court in *M/s Mahakal Caters Vijay Jain v. Union of India and Others, W.P. No.29831/2024*, decided on 01.10.2024, has granted similar extension of 7 months to the Petitioner therein. I am of the view that Petitioner cannot be discriminated and is entitled to the same relief.

9. Accordingly, this writ petition is disposed of with a direction that subject to payment of license fee, Petitioner will be allowed to operate the Special Minor Unit (SMU)/Catering Stall No.2 at Platform No.1/2 of Pt. Deen Dayal Upadhyay Jn. Railway Station for a further period of 7 months from the date of expiry of the license. This would, however, be subject to an undertaking by the Petitioner on an affidavit before this Court that he will vacate the stall in question on expiry of the extended period of 7 months, failing which Respondents will be at liberty to remove his goods from the stall. The affidavit shall be filed within two weeks from today.

10. Pending application also stands disposed of.

**JYOTI SINGH, J**

**JANUARY 20, 2025/YA/jg**