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

\+ W.P.(C) 1460/2025

M/S B H CATERING .....Petitioner

Through: Mr. Akshat Bajpai, Mr. Shobhit Trehan, Ms. Manisha Mehra and Ms. Vedika Dalmia, Advocates.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Mr. Virender Pratap Singh Charak, Mr. Kanishk Kharbanda and Ms. Shubhra Parashar, Advocates for Respondents/UOI.

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\+ W.P.(C) 1480/2025

M/S JAYABEN CATERERS .....Petitioner

Through: Mr. Akshat Bajpai, Mr. Shobhit Trehan, Ms. Manisha Mehra and Ms. Vedika Dalmia, Advocates.

versus

UNION OF INDIA & ANR. .....Respondents

Through: Mr. Rajendra Sahu, SPC with Mr.Dushyant Pratap Singh, Government Pleader and Ms. Priyanka Yadav, Advocate for Respondents/UOI.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

O R D E R

% 06.02.2025

CM APPL. 7092-7093/2025 in W.P.(C) 1460/2025; and
CM APPL. 7207-7208/2025 in W.P.(C) 1480/2025

1. Allowed, subject to all just exceptions.

2. Applications stand disposed of.

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W.P.(C) 1460/2025 and CM APPL. 7091/2025

3. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution for a direction to the Respondents to renew the license of the Petitioner for a period of 07 months in respect of its catering stalls in various railway stations.

4. Petitioner was awarded licenses for running/operating catering stalls in different stations on different dates and for different periods, as shown in the table below:

S. No.	Platform	Catering Stall	Agreement executed on	Current contract period including dies non extension
1	Dehradun Railway Station	PF no. 1/2, near Pole no. 08	22.03.2021	13.11.2019-22.11.2025 (Contract period altered due to remodelling at the station)
2	Garhwa Road Station	SMU no. 03, Platform no. 01 under Divyang Women Category	14.02.2021	08.10.2020-07.10.2025
3	Sealdah Railway Station	SMU no. SDAH/ S-14, P-11	07.11.2019	20.10.2019-17.05.2025 (including 209 days *dies non* extension)
4	Raigarh Railway Station	GMU stall no. TS-41, PF-2/3 for Tea Stall	23.09.2021	19.03.2020-27.05.2025 (including 69 days *dies non* extension)
5	Champa Railway Station	SMU Stall no. TS-54, PF2/3 under women OBC category.	23.09.2021	21.02.2021-20.02.2026

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W.P.(C) 1480/2025 and CM APPL. 7206/2025

5. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India for a direction to the Respondents to renew the license of the Petitioner in respect of its Special Minor Unit (Earmarked for BPL) Unit No. ADI-29, PF No. 8/9, between pole no. 17 & 18 at Ahmedabad Railway Station.

6. Petitioner was awarded license for running/operating one Special Minor Unit (Earmarked for BPL) Unit No. ADI-29, PF No. 8/9, between pole nos. 17 & 18 at Ahmedabad Railway Station for a period of five years at the stipulated license fee, with master agreement being executed on 19.11.2020. Period of the license commenced on 01.11.2019 and was valid upto 08.02.2025. 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 100 days and its license is expiring on 08.02.2025.

7. Since both these writ petitions claim similar reliefs, they were heard together and are being decided by this common order.

8. Learned counsels for the Petitioners prays that Petitioners be given extension of 7 months as given to similarly placed Petitioners in ***Arvind Kumar v. Union of India & Ors., W.P. (C) No. 720/2025***, decided on 20.01.2025, ***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.

9. Issue notice.

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10. Counsels, as above, accept notice on behalf of the Respondents and do not dispute that Petitioners are similarly placed as the writ Petitioners in ***Arvind Kumar (supra), Sree Venkateswara Enterprises (supra)*** and ***Manohar Bachani (supra)***.

11. Indisputably, Petitioners in both writ petitions were awarded contracts of operating catering stalls in various railway stations across the country for a period of 05 years, commencing on different dates. Petitioners seek extension of 7 months as was granted by this Court in ***Arvind Kumar (supra), Sree Venkateswara Enterprises (supra)*** and ***Manohar Bachani (supra)***. There is no dispute between the parties that Petitioners are similarly placed as the Petitioners in ***Arvind Kumar (supra), 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 extended license period. 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 Petitioners cannot be discriminated and are entitled to the same relief.

12. Accordingly, these writ petitions are disposed of with a direction that subject to payment of license fee, Petitioners shall be allowed to operate their respective stalls as detailed above, for a further period of 7 months from the respective dates of expiry of the original/extended license periods. This would, however, be subject to undertakings by the Petitioners, on affidavits, before this Court that they will vacate the stalls in question on expiry of the extended period of 7 months, failing which Respondents will

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be at liberty to remove their goods from the stalls. The affidavits shall be filed within three weeks from today.

13. Pending applications also stand disposed of.

JYOTI SINGH, J

FEBRUARY 6, 2025
B.S. Rohella

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