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

+ **W.P.(C) 1841/2025**

SAGAR RAJENDRA KUMAR MANGLAPetitioner

Through: Mr. Jitender Mehta, Advocate.

versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Sanjeev Kumar Baliyan, SPC
with Mr. Ankur Yadav, Advocate for
Respondents/UOI.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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14.02.2025

CM APPL. 8839/2025 and 8840/2025

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

W.P.(C) 1841/2025 and CM APPL.8838/2025

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 15.09.2023 issued by Respondent No.2 as also for a direction to the Respondents to renew the license of the Petitioner in respect of one General Minor Unit (GMU)/NIT No. 05 at Platform No. 2/3 of Jodhpur Railway Station.
4. Petitioner was awarded license for running/operating one General Minor Unit (GMU)/NIT No. 05 at Platform No. 2/3 of Jodhpur Railway Station for a period of five years from 30.01.2020 to 29.01.2025 at the



stipulated license fee vide allotment letter dated 04.02.2019. 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 400 days, Petitioner was granted extension for only 70 days and his license is expiring on 09.04.2025.

5. Learned counsel for the Petitioner prays that Petitioner be given extension of 7 months as given to similarly placed Petitioners in ***Manohar Bachani v. Union of India & Ors, W.P.(C) No. 12398/2024***, decided on 11.09.2024; ***Sree Venkateswara Enterprises v. Union of India & Ors., W.P. (C) No. 225/2025***, decided on 10.01.2025 and in ***Arvind Kumar v. Union of India & Ors., W.P. (C) No. 720/2025***, decided on 20.01.2025.

6. Issue notice.

7. Mr. Sanjeev Kumar Baliyan, learned SPC, appearing on advance copy of this writ petition, takes an objection to the writ petition on the ground that the Petitioner has been allotted several units, which is reflected from Annexure P-1, i.e. letter dated 15.09.2023 and extension cannot be granted with respect to all the units. From a reading of the writ petition, it is unclear as for which unit the extension is sought.

8. Learned counsel for the Petitioner draws the attention of the Court to paragraph 6 of the writ petition wherein it is categorically averred that Petitioner seeks extension of license with respect to General Minor Unit (GMU)/NIT No. 05 at Platform No. 2/3 of Jodhpur Railway Station and therefore, it is wrong for the counsel for the Respondents to raise an objection on the ground that there is no clarity in the writ petition. On



instructions, it is reiterated that extension is sought only with respect to one unit, which is mentioned at Serial No.3 in the letter dated 15.09.2023.

9. Indisputably, Petitioner was awarded a catering stall license for operating one General Minor Unit (GMU)/NIT No. 05 at Platform No. 2/3 of Jodhpur Railway Station. Treating the period of COVID-19 as *dies non* and granting benefit of the same, further extension was granted to the Petitioner till 09.04.2025. Petitioner seeks extension of 07 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 present Petitioner is 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 07 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 07 months to the Petitioner therein. I am of the view that Petitioner cannot be discriminated and is entitled to the same relief.

10. Accordingly, this writ petition is disposed of with a direction that subject to payment of license fee, Petitioner will be allowed to operate one General Minor Unit (GMU)/NIT No. 05 at Platform No. 2/3 of Jodhpur Railway Station for a further period of 07 months from 09.04.2025 at the stipulated license fee. This would be further 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 07 months, failing which



Respondents will be at liberty to remove his goods from the stall. The affidavit shall be filed within three weeks from today.

11. Pending application stands disposed of.

JYOTI SINGH, J

FEBRUARY 14, 2025/B.S. Rohella/shivam