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

+ LPA 125/2025, CM APPL.Nos.10124/2025, 10125/2025, 10126/2025,
10127/2025 & 10128/2025

ARTI DEVI

.....Appellant

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

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. T.P. Singh, SPS with Mr. Abhinav
Bhardwaj, GP for UOI.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **19.02.2025**

1. The appellant has filed the present appeal impugning an order dated 28.11.2024 (hereafter the *impugned order*) passed by the learned Single Judge in W.P.(C) 16481/2024 captioned *Arti Devi vs. Union of India & Ors.*
2. The appellant had filed the said petition under Article 226 of the Constitution of India, impugning Clause 11 of the Commercial Circular No.20 of 2017 dated 27.02.2017 in respect of the Catering Policy, 2017. In terms of the said catering policy, the licence term of '*minor units*' allocated to the various licensees was confined to a period of five years.
3. The appellant was allotted three catering stalls at Faizabad Railway Station, Shahganj Railway Station and Manduadih Railway Station (Previously



known as Banaras Railway Station). The details of the petitioner's stalls are as follows:

S.No	Particulars of the Catering Stalls	Extension granted	Last date of the extension [<i>dies non</i>]
1.	General minor Unit (GMU)/Catering Stall at platform No. 2/3 of Faizabad Railway Station	67 days	15.12.2024
2.	Catering Stall at Platform No. 1 of Shahganj Railway Station.	67 days	30.12.2024
3.	General Minor Unit (GMU)/Catering Stall No. 18 at Platform No. 8 of Manduadih Railway Station (Presently known as Banaras Railway Station)	90 days	29.06.2025

4. The Commercial Circular dated 27.02.2017 was the subject matter of challenge in a batch of petitions as well, which was rejected by the learned Single Judge. The said decision was also upheld by the Division Bench of this Court. The said matters then travelled to the Hon'ble Supreme Court. However, the Supreme Court also declined to interfere with the judgments passed by this Court. Although, in some cases, the Hon'ble Supreme Court also granted further four months' time to the allottees to hand over their respective units.

5. Admittedly, the appellant is required to vacate the stall licenced to him on expiry of the licence term. However, the learned Single Judge as well as this Court had, in matters granted the allottees further time of three months to vacate the same. And as stated above, the Hon'ble Supreme Court had allowed a further period of four months over and above the time granted by this Court.

6. The learned counsel appearing for the appellant submits that on the



principle of parity, the appellant may also be granted additional four months' time to vacate the unit. It is seen that the learned Single Judge had in terms of the impugned order granted three months' time from the expiry of licence period to the appellant to vacate the unit. However, the appellant submits that a further period of four months may be granted from the expiry of said period of three months, in parity with the other petitioners.

7. The learned counsel for the appellant further assures this Court that no further time would be sought and submits that an undertaking to the said effect as well as to the effect that it would vacate and handover the unit to the concerned authorities on or before the expiry of the additional period of four months as sought, would be furnished.

8. In view of the above, the present appeal is disposed of by granting the appellant further four months extension from the date of expiry of period granted by the learned Single Judge, till the dates as specified in the table below, to handover the allocated stall to the concerned authorities.

S.No	Particulars of the Catering Stalls	Expiry of period granted by the learned Single Judge	Last date to handover the allocated stalls to the concerned authorities
1.	General minor Unit (GMU)/Catering Stall at platform No. 2/3 of Faizabad Railway Station	15.03.2025	15.07.2025
2.	Catering Stall at Platform No. 1 of Shahganj Railway Station.	30.03.2025	30.07.2025
3.	General Minor Unit (GMU)/Catering Stall No.	29.09.2025	29.01.2026



	18 at Platform No. 8 of Manduadih Railway Station (Presently known as Banaras Railway Station)		
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9. We, however, clarify that this order would be operative on the appellant furnishing an undertaking to this Court to the effect as noted above within a period of three weeks from today with an advance copy to the learned counsel for the respondents.

10. It is clarified that if the undertaking is not filed within the aforesaid period, the respondents will be at liberty to take steps to forthwith evict the appellant from the said unit as the license term has expired.

11. Pending applications shall also stand disposed of.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

FEBRUARY 19, 2025/rl