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

+ **W.P.(C) 4192/2025 & CM APPLs. 19423/2025 & 19424/2025**

BIBHA RAY

.....Petitioner

Through: Mr. Chandan Kumar with Mr. Dinesh Kumar Tiwary and Mr. Shubham Rai, Advocates.
(M): 9821621416
Email: sraj11nov@gmail.com

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Ms. Anushkaa Arora, Senior Panel counsel, UOI with Mr. Sagar Belwal, Advocate.
(M): 9810570295
011-41030070
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CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

03.04.2025

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1. The present writ petition has been filed by the petitioner with respect to the *Catering Stall General Minor Unit ("GMU") No-51 at Platform No. WH, between Waiting Hall at Railway Station of Darbhanga, Category 'A1' Samastipur Division, East Central Railway.*

2. It is submitted that a Letter of Award dated 15th July, 2015 was issued by the Divisional Railway Manager (Varanasi) Samastipur, by way of which, the said catering stall was granted in favour of the petitioner, which



was subsequently extended till 14th November, 2024.

3. It is submitted that this Court, on previous occasions, has granted relief in similar matters. Attention of this Court has been drawn to the order dated 07th March, 2025, passed by the Predecessor Bench of this Court in *W.P.(C) 2953/2025*, titled as *Sadeek Ali Versus Union of India and Ors.*, wherein, further extension of 7 months has been granted to the petitioner therein. Attention of this Court has also been drawn to other similar orders passed in other petitions.

4. Thus, it is submitted that the license period of the petitioner in the present case also, ought to be extended for another period of 7 months and that the petitioner is ready to give an undertaking on affidavit before this Court, that the petitioner will vacate the stall in question, on expiry of the extended period of 7 months.

5. Issue notice.

6. Notice is accepted by learned counsel appearing for the respondents, who submits that though she has no objection to allowing of the present petition, in view of the earlier orders passed by this Court, however, the Railways may not be restrained from inviting fresh tenders for awarding the licence on expiry of the extended period of licence of the petitioner.

7. Learned counsel appearing for the petitioner, at this stage, states that the petitioner is only pressing for the grant of extension of the license period for the period of 7 months, in terms of the orders passed previously, and gives up other challenges with regard to the policy of the Indian Railways.

8. Learned counsel appearing for the respondents draw the attention of this Court to the order passed by the learned Division Bench in a similar matter, wherein, four months extension had been granted, by relying upon



order of the Supreme Court, in a similar matter.

9. However, learned counsel appearing for the petitioner submits that the extension of four months was granted, in addition to the 3 months' extended period, as granted by the learned Single Judge. Thus, he submits that in total, 7 months' extension was granted on previous occasions also.

10. The aforesaid submissions made on behalf of the parties, are noted.

11. Having heard learned counsels appearing for the parties, this Court notes that, *vide* order dated 20th March, 2025, in *W.P.(C) 3474/2025, Shri Kishori Lal Versus Union of India and Others*, this Court has, in similar circumstances, granted extension in favour of the petitioner therein.

12. Thus, considering the fact that similar orders have been passed on previous occasions also by this Court, thereby, granting an extension of time for running the stall, this Court is of the view that in parity with the orders passed earlier by this Court, a similar order ought to be passed in the present case also. This Court sees no reason to take a different view from the orders passed earlier.

13. Accordingly, it is directed that, subject to payment of license fees, the petitioner will be allowed to operate the *Catering Stall General Minor Unit ("GMU") No-51 at Platform No. WH, between Waiting Hall at Railway Station of Darbhanga, Category 'A1' Samastipur Division, East Central Railway* for a period of 7 months from 11th February, 2025, at stipulated license fees.

14. The petitioner is directed to file an undertaking, on an affidavit, before this Court, within a period of four weeks from today, that the petitioner shall vacate the stall in question, on expiry of the extended period of 7 months, failing which, the respondents will be at liberty to remove the



goods of the petitioner, from the stall in question.

15. It is further made clear that extension of the licence fees of the petitioner will not preclude the Railways from inviting fresh tenders, for awarding of the license, on expiry of the extended period of license of the petitioner.

16. Accordingly, with the aforesaid directions, the present writ petition, stands disposed of.

MINI PUSHKARNA, J

APRIL 3, 2025

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