



\$~33

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

+ LPA 562/2025, CM APPL. 55641/2025, CM APPL. 55642/2025, CM APPL. 55643/2025 & CM APPL. 55644/2025

UNION OF INDIA AND ANR

.....Appellants

Through: Mr. Virender Pratap Singh Charak, Ms. Shubhra Parashar and Mr. Pushpender Pratap Singh, Advocates.

versus

M/S B H CATERING SERVICES

.....Respondent

Through: Mr. Chandan Kumar, Mr. Dinesh Kumar Tiwary and Mr. Shubham Rai, Advocates.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

12.12.2025

%

1. Present Letters Patent Appeal has been filed challenging the order dated 06.02.2025 passed by the learned Single Judge in W.P(C) 1460/2025 titled "*M/s B H Catering vs. Union of India & Ors.*", wherein the learned Single Judge has granted a 7 months extension to vacate the catering stall in question.

2. Learned counsel for the appellant submits that the period extended by learned Single Judge is expiring on different dates, as shown in the table below:



S.no	Platform	Catering Stall	7 months extension expiring on
1	Dehradun Railway Station	PF no.1/2, near Pole no.08	23.06.2026
2	Garhwa Road Station	SMU no.3, Platform no.01 under Divyang Women Category	08.05.2026
3	Sealdah Railway Station	SMU no.SDAH/S-14, P-11	18.12.2025
4	Raigarh Railway Station	GMU stall no. TS-41, PF-2/3 for Tea Stall	28.12.2025
5	Champa Railway Station	SMU Stall no. TS-54, PF2/3 under women OBC category	21.09.2026

3. Learned counsel appearing for the parties jointly submit that the present appeal has been filed only in respect of stall at serial no.3 referred in the table above, i.e., SMU no. SDAH/S-14, P-11 at Sealdah Railway Station, in respect of which, the extended period of 7 months is expiring on 18.12.2025.

4. Keeping in view the admitted position that the extension granted by the learned Single Judge to operate the catering stall in question is expiring on 18.12.2025, coupled with the fact that the respondent has already furnished its undertaking to vacate the catering stalls in question on its own on expiry of the extended period of 7 months from 17.05.2025, we are of the opinion that no purpose would be served in keeping the appeal pending. We, however,



keep the legal issues raised herein open to be decided in some other appropriate matter.

5. We may observe that respondent shall vacate the premises in terms of the undertaking given and peacefully handover the vacant physical possession of the catering stall in question in their occupation. In case the respondent fails to vacate the stall in question within the said period, the appellant will be at liberty to remove the goods from the stall.

6. Needless to state that the appellant is entitled to issue fresh tender in respect of stall in question as and when vacated as per the undertaking. The appellant is also at liberty to recover license fee/rent from the respondent if not paid already.

7. In view of the above, the present appeal is disposed of alongwith pending applications, if any.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

DECEMBER 12, 2025/rl