



2025:DHC:10577



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 26th November, 2025**

+ W.P.(C) 17183/2025, CM APPL. 70648/2025 & CM APPL. 70649/2025

M/S SAPNA CATERING

.....Petitioner

Through: Mr. Tamim Qadri, Mr. Anubhav Bhasin and Mr. Saeed Quadri, Advocates

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Email: tamimq_3@yahoo.co.in

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Avshreya Pratap Singh Rudy, CGSC with Ms. Usha Jamnal, Mr. Mohammad Junaid Mahmood and Ms. Prajna Pandita, Advocates for R-1 and 5.

CORAM:**HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J (ORAL)**

This Case is taken up today, as 25th November, 2025, was declared as a holiday.

1. The present writ petition has been filed seeking extension of the contract with respect to the *Catering Stall/General Minor Unit No. CS-4, near OHE Pole No. 228/16, at PF-2 of Sant Hiranagar Railway Station of Bhopal Division.*

2. Learned counsel appearing for the petitioner submits that he gives up the other prayers and presses only for extension of seven months to vacate

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the unit in terms of the various judgments passed by this Court.

3. However, learned counsel appearing for the respondents submits that in the present case, the petitioner has approached this Court belatedly by suppressing the fact that e-auction notice with respect to the stall in question had already been published on 04th November, 2025. He further submits that the present writ petition came to be listed before this Court only on 19th November, 2025, by which time, the bidding process was already over and successful bidder had already been allotted the unit.

4. Learned counsel appearing for the respondent has handed over copy of the short affidavit dated 24th November, 2025, which is taken on record. The relevant portions of the same, are reproduced as under:

“xxx xxx xxx

5. It is submitted that the Petitioner has not approached this Hon'ble Court with clean hands and has not placed the correct facts before this Hon'ble Court. It is further submitted that the Catering Stall/General Minor Unit No. CS-4, situated near OHE Pole No. 228/16, at PF-2 of Sant Hirdaram Nagar Railway Station, Bhopal Division, was allotted to the Petitioner vide Letter of Allotment No. C/BPL/Catering/CS/GMU/SHRN/CS-4/GF, dated 11.09.2020, with the date of commencement of operations from 01.12.2020, for a fixed tenure of five years only and the same is valid until 30.11.2025.

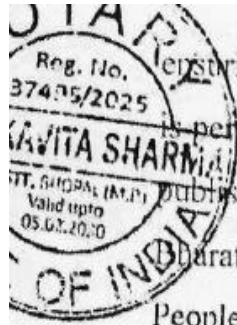
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6. It is submitted that the Petitioner did not incur any operational losses attributable to the nationwide COVID-19 lockdown with respect to the license in question, as the allotment and commencement of operations of the stall began only on 01.12.2020, i.e., after the period during which train services at Sant Hirdaram Nagar Railway Station stood suspended. It is further submitted that the Petitioner cannot claim losses for a period when he was neither in possession nor operating the allotted stall. It is pertinent to mention that the Petitioner's attempt to seek parity with other stallholders mentioned in the aforementioned Writ Petitions is wholly misplaced, as their respective licenses, and operational timelines were materially different and therefore cannot be equated with the factual circumstances of the present case. Accordingly, the present Writ Petition is devoid of merit and is liable to be dismissed at its very threshold.

7. It is submitted that, as the Petitioner's allotment period was scheduled to conclude on 30.11.2025, the answering Respondents in accordance with the established procedure, initiated the process for fresh allotment and accordingly the answering Respondents published an E-Auction Notice dated 04.11.2025 for the said catering stall on the IREPS website. It is further submitted that all the registered bidders on the IREPS platform ("including the Petitioner") automatically receive notifications and alerts regarding forthcoming auctions,



ensuring transparency and equal opportunity to all involved. It is pertinent to mention that the said E-Auction Notice was also published in various newspapers i.e. Dainik Bhaskar, Nav Bharat, Pradesh Today, Raj Express, Patrika, Times of India, People Samachar and Aankho Dekho etc. in accordance with the prescribed norms. A True Copy of E-Auction Notice dated 04.11.2025 and E-Auction Notice published in various newspapers dated 08.11.2025 is annexed herewith and marked as ANNEXURE R-01(COLLY).

8. It is submitted that the bidding process for the E-Auction commenced on the 15th day from the publication, i.e., on 19.11.2025, in accordance with the prescribed procedure, it may be noted that in E-Auction process the bidder offering the highest bid amount is declared as the successful bidder for the concerned Unit/Stall.
9. It is submitted that the Petitioner being fully aware of the E-Auction notice dated 04.11.2025, has deliberately concealed this material fact from this Hon'ble Court. It is further submitted that the Petitioner has not approached this Hon'ble Court with clean hands, and such suppression of material circumstance, by itself, renders the present petition liable to be dismissed.
10. It is submitted that in the E-Auction held on 19.11.2025, *Jyoti Industry, Bhopal* emerged as the highest bidder with respect to the concerned Stall/Unit. It is apposite to note that while the



8. The Petitioner was paying an annual license fee of Rs. 4,22,000/-, the newly selected bidder has offered an annual license fee of Rs. 21,91,111/-, thereby securing substantially higher revenue for the Railways in addition to being capable of offering a wider range of services and amenities to the public.

11. It is submitted that, in view of the substantial difference in the bid amounts, the said stall is required to be handed over to the newly selected bidder by 04.12.2025 as per the prescribed procedure. It is further submitted that any extension granted to the Petitioner beyond the expiry of his license period would be contrary to the terms of the allotment to the successful bidder and be in the teeth of the applicable Railway policies in this regard. It is pertinent to mention that any tampering with the E-Auction process at this stage when the successful bidder has been declared would disturb the overall sanctity of the applicable Railway Policies and would certainly negate the legitimate expectation of the successful bidder. It is additionally submitted that deviation from the established procedure and grant of extension to the Petitioner would also deprive the answering Respondent of the higher license fee offered by the successful bidder and the same would result in a considerable and unavoidable loss to the public exchequer.

12. It is submitted that the Petitioner has no vested right to seek an extension of the license period. It is further submitted that at the time of submission of the Petitioner's Letter of Acceptance



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dated 11/09/2020, the Petitioner was fully aware that the allotment of the stall was for a fixed tenure of five years only. Furthermore, the Petitioner executed the Master License Agreement dated 02.09.2021 with the answering Respondents, which explicitly stipulates that the license for the said stall was granted for a period of five years. It is additionally submitted that in view of these clear contractual terms, the Petitioner now cannot claim any right for extension of the license period, as no such right expressly or implied accrues in favor of the Petitioner as per the Agreement or in law.

13. In light of the submissions made herein above, it is respectfully submitted that the present Petition is devoid of any merit and is liable to be rejected.

xxx xxx xxx”

5. Perusal of the aforesaid affidavit shows that the e-auction notice was published on 04th November, 2025, whereas, the present writ petition came to be listed before this Court for the first time on 12th November, 2025.
6. Further, the e-auction process has already completed and a new bidder has already been selected.
7. Accordingly, no orders can be passed by this Court, in favour of the petitioner.
8. The present writ petition is accordingly dismissed.

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9. The pending applications are also disposed of.

MINI PUSHKARNA, J

NOVEMBER 26, 2025/SK

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