

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12315 of 2024

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Kundan Kumar Singh S/o Late Rewati Raman Prasad Singh, Resident of Near
Muneshwar Singh Chowk, Araria, P.S. Jandaha, Dist.- Vaishali, Bihar-
844505.

... .. Petitioner/s

Versus

1. The Union of India Indian Railways through its Secretary, Ministry of Rail,
Rail Bhawan, New Delhi.
2. The Divisional Railway Manager, (Commercial) East Central Railway,
DRM Building, Samastipur, Bihar- 848101.
3. The Senior Divisional Railway Manager (Commercial), E C Railway,
Samastipur, Bihar.
4. The Divisional Commercial Manager, E.C. Railway, Samastipur Division,
Samastipur, Bihar.
5. The Divisional Commercial Manager (TC/ Catering), E.C Railway,
Samastipur Division, Samastipur, Bihar.
6. The Station Superintendent, E.C Railway, Samastipur Station, Samastipur,
Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Adv.
For the Respondent/s : Mr. Additional Solicitor General

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

13 27-07-2026 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

2. With the consent of both the parties, this writ
application is being disposed of at the admission stage itself.

3. This writ application has been filed for the
following reliefs:-

*“(I)....for setting aside the letter No.
C/470/FAL/Samastipur/ii, dated
18.04.2024 issued by the respondent*



No.4 whereby and where under he has rejected the request made by the petitioner to transfer the license of Fruit-juice stall in his name after the death of his father;

(ii) for issuance of a writ in the nature of Mandamus directing the respondent authorities to transfer the license of Fruit-juice stall/trolley in the name of the petitioner in terms of the policy of the respondent railways at Samastipur Railway Station;

(iii) for issuance of such other writ(s), order(s), direction(s) as your Lordships may deem fit and proper.

4. At the outset, learned counsel appearing on behalf of the petitioner fairly submits that the petitioner shall represent along with all the partners of RRPS CATRERS LLP before respondent no.3 i.e. The Senior Divisional Railway Manager (Commercial), EC Railway, Samastipur, Bihar by filing a fresh representation with all the necessary documents as well as death certificate of the deceased father along with an affidavit of all the partners of RRPS CATRERS LLP stating therein that partners have no objection if the license of Fruit-Juice stall is transferred in favour of the petitioner and, therefore, the petitioner may be permitted to file a fresh representation annexing all the documents in support of his claim before the Respondent Authority to transfer the license of Fruit-Juice stall



in favour of the petitioner as the father of the petitioner has died. The concerned respondent may be directed to consider the representation of the petitioner within a reasonable time frame.

5. To the aforesaid prayer being made by learned counsel for the petitioner, learned counsel appearing for respondent does not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application is disposed of granting liberty to the petitioner to file a fresh representation with all the necessary documents as well as death certificate of the deceased father along with an affidavit of all the partners of RRPS CATRERS LLP before the Respondent No. 3 i.e. The Senior Divisional Railway Manager (Commercial), EC Railway, Samastipur, Bihar within fifteen (15) days from today and if such a representation is filed within the stipulated time then the Respondent Authority is directed to dispose of the same in accordance with law and also on the basis of circular issued by the Akhil Bhartiya Railway Khan-Pan Licensees Welfare Association, Delhi vide letter dated 01.07.2021, within a period of one month from the date of receipt of the representation, after giving an opportunity of hearing to the petitioner.



7. Needless to emphasize that the final order which shall be passed by the Respondent Authority should be a reasoned and speaking order.

8. This Court has not expressed any opinion on the merit of the case including maintainability of the writ application.

9. With the aforesaid observation/direction and liberty granted, this writ application is disposed of.

10. All pending interlocutory application(s), if any, shall stands disposed of.

(Girijish Kumar, J)

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