

12.05.2026
(D/L-34)
Ct. No. -02
(Susanta)

W.P.A 10275 Of 2026

Sanjay Prasad Koiree
- Vs -
Union of India & Ors.

Mr. Saptarshi Roy,
Mr. Kakali Das Chakraborty,

... for the Petitioner.

Mr. Rajendra Banerjee,
Ms. Ranjana Chatterjee,
Mr. Sauvik Ganguly,

... for the U.O.I.

1. Present petition has been filed challenging the Contract Cancellation Certificate dated 27th March, 2026 of Sree Shivam Cargo, Kolkata on account of the fact that the ICF rake of train no. 13015 /16 HWH-JMP-HWH exp. will be converted into LHB rake w.e.f. 29.03.2026.

2. Learned Counsel for the petitioner submits that the order passed by the railway authorities is totally arbitrary, whimsical and is liable to be set aside.

3. Learned Counsel further submits that the Co-ordinate Bench of this Court on the identical facts in W.P.A 7544 of 2026 (Sanjay Prasad Koiree Vs. Union of India & Ors.) allowed the petition, inter alia, holding that the action of the authority in terminating the contract is unfair and allowed the

same to operate until the date of expiry of their term.

4. Learned Counsel submits that Sree Shivam Cargo, Kolkata is a proprietorship firm and is being represented by its sole proprietor that is the petitioner herein, namely, Shri Sanjay Prasad Koiree.
5. The learned Counsel for the Union of India submits on instruction that the order passed in the identical case by the Co-ordinate Bench of this Court in WPA 7544 of 2026 has already been implemented.
6. Learned Counsel submits that an appropriate order may be passed but it may not create any precedent and may be subject to the final order in W.P.A. 2028 of 2026.
7. In view of the submissions made, the impugned Contract Cancellation Certificate dated 27th March, 2026 is put in abeyance.
8. The railways authorities shall allow the petitioner to function till 7th August, 2026 in accordance with law.
9. However, this order shall be subject to final outcome of W.P.A. 2028 of 2026 and shall not be a precedent.

10. Since no affidavit has been filed by the railways authorities, the allegations made in the writ petition are deemed not to have been admitted by the respondent.
11. With the above observation, the writ petition stands disposed of.
12. Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all usual requisite formalities.

(Dinesh Kumar Sharma, J.)