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

+ **W.P.(C) 1729/2026 & CM APPL. 8429/2026**

LALBABA ENGINEERING LIMITEDPetitioner

Through: Mr. Apurv Kurup, Senior Advocate
with Ms. Nidhi Mittal, Mr. Kumar
Mihir, Ms. Shahana Farah and
Ms. Reya Paul, Advocates

versus

CHAIRMAN, RAILWAY BOARD & ORS.Respondents

Through: Mr. Nishant Gautam, Ms. Kavya
Shukla, Mr. Naman Sharma, Mr.
Vineet Negi, Advocates and
Mr. Chetan Tandon, G.P.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
09.02.2026

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1. The present writ petition has been filed seeking the following reliefs:-

- a. *issue a writ in the nature of certiorari mandamus or any other appropriate writ, order or direction thereby setting aside the impugned termination notice dated 22.01.2026;*
- b. *issue a writ in the nature of mandamus or any other appropriate writ, order or direction thereby directing the Respondents to consider and grant extension of time under GCC Clause 17 A(iii) to the Petitioner herein to commence the work;*
- c. *grant ex parte ad interim relief to the petitioner herein and restrain the respondents herein from taking any coercive action against the Petitioner including forfeiture, encashment of performance guarantee and debarment in furtherance of the impugned notice dated 22.01.2026;"*

2. Mr. Apurv Kurup, Senior Counsel appearing on behalf of the



petitioner, submits that the petitioner could not commence work under the subject contract due to *bona fide* reasons as the material required for the work to be performed under the contract was not available. He further submits that the respondents are taking inconsistent views inasmuch as Ajmer division has granted extension to the petitioner for 'Upgradation work of toilet for NON-AC LHB Coaches'. However, Jodhpur/Ajmer division for 'Up gradation of Coach Toilets of AC ICF Coaches' has not granted extension to the petitioner.

3. Counsel appearing on behalf of the respondents points out that this Court does not have the territorial jurisdiction to entertain the present writ petition as the impugned termination notice has been issued by the Railway Authorities in Jodhpur. The tender is also been issued by the Railway Authorities in Jodhpur and the tender document mentions the jurisdiction as that of the Jodhpur Civil Court.

4. In these circumstances, Mr. Kurup on instructions seeks to withdraw the present writ petition to approach the competent Court in Rajasthan.

5. Accordingly, the present petition is dismissed as withdrawn with liberty to the petitioner to approach the competent Court of jurisdiction. While granting ten (10) days time to the petitioner to approach the competent Court of jurisdiction, it is directed that no coercive steps shall be taken by the respondents against the petitioner for a period of ten (10) days.

AMIT BANSAL, J

FEBRUARY 9, 2026
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