

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

TUESDAY, THE SIXTEENTH DAY OF AUGUST TWO THOUSAND AND
TWENTY TWO

**:PRESENT:
THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO**

WRIT PETITION NO: 25580 OF 2022

Between:

Ms. Shaik Haleema,, W/o. Late Sri. Shaik Azad having her office at #
1-4/5-6, Parthasaradhi Street, Kamakotinagar, Vidyadharapuram,
Vijayawada - 520 01.

Petitioner



AND

1. The Union of India, Rep. by its Principal Secretary, Ministry of Railways, New Delhi.
2. The South Central Railway, Rep. by its General Manager, Secunderabad.
3. The Senior Divisional Commercial Manager,, South Central Railway, Vijayawada Division, Vijayawada.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction, more particularly in the nature of Writ of Mandamus and A) Declare the actions of the respondents in making the petitioner to pre close the 017 Stall (SG1SMU017) for purpose of renewing 016 Stall (SG1SMU016) at Platform no. 6 of Vijayawada Railway Station in terms of commercial circular no. 22 of 2017 as illegal, arbitrary, unconstitutional, contrary to the Judgement dated 30.03.2022 of this Hon'ble Court in W.P.No. 2167 of 2022 and consequently, direct the Respondents to permit the petitioner to operate 017 Stall at Platform no. 6 of the Vijayawada Railway Station for the unexpired license period B) Declare the actions of the respondents in issuing Tender no Catg-03-2022-SG1SMU017 dated 29.07.2022 for 017 Stall before the expiry of the license period of 017 Stall as illegal, arbitrary and unconstitutional and consequently direct the Respondents to withhold the above Tender till the expiry of the license period of 017 Stall.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings in Tender no: Catg-03-2022-SG1SMU017 dated 29.07.2022 pending the disposal of the writ petition 25580 of 2022, on the file of the High Court.

IA NO: 2 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased permit the petitioner to operate 017 Stall at Platform no. 6 of the Vijayawada railway station for the unexpired license period Pending disposal of WP 25580 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. AVINASH DESAI Advocate for the Petitioner for the Respondent(s) and the Court made the following.

ORDER

"The learned Assistant Solicitor General seeks time to obtain instructions.

Post on 23.08.2022 in 'motion list.'

In view of the judgment of the learned Single Judge of this Court dated 30.03.2022 in W.P. No. 2167/2022 interim stay as prayed for, for a period of two weeks."

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary Union of India, Ministry of Railways, New Delhi. (by RPAD)
2. The South Central Railway, Rep. by its General Manager, Secunderabad (by RPAD)
3. The Senior Divisional Commercial Manager, South Central Railway, Vijayawada Division, Vijayawada. (by RPAD)
4. One CC to SRI. AVINASH DESAI Advocate [OPUC]
5. **One spare copy**

nbr

H COURT

RRRJ

DATED:16/08/2022

ORDER

Post on 23.08.2022 in 'motion list'

WP.No.25580 of 2022

DIRECTION

