



\$~2

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 394/2023, CM APPL. 1578-79/2023

M/S NOMA INFRASTRUCTURE PVT. LTD. Petitioner

**Through: Mr. Tanmaya Mehta, Mr. B.S. Nagar,
Mr. Shobhit Jain and Mr. Nishant
Yadav, Advocates.**

versus

**UNION OF INDIA, MINISTRY OF RAILWAYS &
ANR. Respondents**

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

19.01.2023

%

1. By way of present petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed following reliefs :-

“a) Issue appropriate Writs, Order and/or direction in the nature of mandamus or certiorari directing Ministry of Railways, Govt. of India to frame proper guidelines giving details or extent of minor repair (usual tear and wear) and major repairs in terms of repair giving extent of expenditure incurred on such repair.

b) Issue directions to the Respondent No. 1 to adjust the money recovered from Respondent No. 2 towards the liability of Respondent No. 2 and its Railway rakes/sold subject to assets & liabilities and demand only the balance outstanding dues by adjusting Rs.5 .20 Crores received from respondent No.2.

c) Issue appropriate Writs, Orders and/or directions in the nature of mandamus, certiorari directing the Respondent No. 1



to withdraw their demand and or issue appropriate direction to adjust the demand if any out of rate 5% haulage charges and charge the balance dues in installments.”

2. On petitioner taking steps notice be issued to respondent No.1 as well as respondent No. 2 (through O.L.) through all permissible modes, returnable on 11.04.2023.
3. However, the petitioner shall be at liberty to approach this Court in case any precipitate action is proposed to be taken by the respondents.

MANOJ KUMAR OHRI, J

JANUARY 19, 2023

ga