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

+ W.P.(C) 7435/2025, CM APPL. 33285/2025

**BHARTIYA RAILWAY LOADING UNLOADING WORKERS
UNION & ANR.Petitioners**

Through: Mr. Ashish Mohan, Sr. Adv. with Ms.
Sagrika Tanwar, Adv.
Mob: 9811530359
Email: sagrikalegal@gmail.com

versus

UNION OF INDIA & ANR.Respondents

Through: Mr. Vikram Jetly, CGSC with Ms.
Shreya Jetly, Adv.
Mob. 9811157321
Email: vikram.jetly@gmail.com

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+ W.P.(C) 7498/2025, CM APPL. 33535/2025

NAUMAN SIDDIQUIPetitioner

Through: Mr. Ashish Mohan, Sr. Adv. with Ms.
Sagrika Tanwar, Adv.
Mob: 9811530359
Email: sagrikalegal@gmail.com

versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Sidharth Shankar, CGSC with
Mr. Suryadeep Singh, Adv
Mob. 9650580863

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

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**ORDER
27.05.2025**



CM APPL. 33286/2025 in W.P.(C) 7435/2025
CM APPL. 33536/2025 in W.P.(C) 7498/2025

1. Exemptions are granted, subject to all just exceptions.
2. The applications are accordingly, disposed of.

W.P.(C) 7435/2025, CM APPL. 33285/2025
W.P.(C) 7498/2025, CM APPL. 33535/2025

3. The present writ petitions have been filed with a prayer for quashing the decision dated 21st January, 2025, of the Deputy Director/Freight Marketing, Railway Board, Ministry of Railways, and the decision dated 28th March, 2025, of the Chief Commercial Manager/FM, Northern Railway.
4. Learned Senior Counsel appearing for the petitioners submits that as per the earlier policy of the respondents, i.e., Modified Policy Guidelines on “Comprehensive Parcel Leasing Policy (“CPLP”) dated 15th April 2014, one compartment shall be reserved by the railways for loading of passengers, luggage, perishables, newsprints etc. which shall not be leased out.
5. Attention of this Court has been drawn to Para 40.2 of the said policy dated 15th April, 2014, which is reproduced as under:-

“40.2 In case of mail/express and ordinary passenger trains running with 2 SLRs, from end to end, following space should be leased out:

- (i) Both the compartments of front SLR.*
- (ii) Assistant Guard cabin of front SLR.*
- (iii) One compartment of rear SLR.*

The remaining second compartment of rear SLR will not be leased out and must be kept under Guard’s charge for loading of passengers’ luggage, perishables, newsprints etc. and for loading/ unloading of parcels from intermediate stations.”

6. It is thus, submitted that in a complete violation of its earlier policy, a new decision has been taken by the respondents, wherein, all the



compartments will be leased out to private parties.

7. It is submitted that the said decision is against the very tenor of the Railways Act, 1989. In particular, learned Senior Counsel appearing for the petitioners relies upon Section 2(8) of the Railways Act, 1989, with respect to the definition of consignee, which means the person named as consignee in a railway receipt. He further relies upon Section 2(9) of the Railways Act, 1989, wherein, the definition of consignment has been given, as regards goods entrusted to a railway administration for carriage. He also relies upon Section 2(10) of the Railways Act, 1989, in order to submit that consignor means a person who has been entrusted goods to a railway administration for carriage.

8. Thus, he submits that it is imperative that at least one compartment be reserved by the Railways, and must be kept for loading of passenger's luggage, perishables, newsprint, etc., as the same would be in compliance with the aforesaid definitions, as given in the Railways Act, 1989.

9. Issue notice.

10. Notice is accepted by learned counsel for the respondents, who draws the attention of this Court to the clarification dated 28th March, 2025, issued by the Northern Railways, wherein, it has been clarified as under:-

“xxx xxx xxx

2. Luggage not accommodated in leased compartment on that date to be carried in first available train to that direction or next day by same train or first available train to those stations/destinations.

xxx xxx xxx”

11. Thus, he submits that the interest of the passengers is safeguarded.

12. Let reply be filed within a period of four weeks, from today.

13. Rejoinder, if any, be filed within two weeks, thereafter.



14. List on 28th August, 2025.

MINI PUSHKARNA, J.

MAY 27, 2025/neha