

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 13477/2024

M/s Pummy Bai And Sons Refreshment Tea Stall, Sweet Namkeen Trolley And Tea Trolley, Beawar Railway Station Through Its Partner Rakesh Khubchandani S/o Late Shri Kishanchand Khubchandani R/o House No. 100, Gali No.1, Nand Nagar, Beawar, District Ajmer

-----Petitioner

Versus

1. Union Of India, Through Its Secretary, Ministry Of Railway, New Delhi.
2. General Manager, North Western Railway, Jawahar Circle, Jagatpura, Jaipur.
3. Senior Divisional Commercial Manager, North Western Railway, Ajmer.
4. Station Superintendent, North Western Railway, Beawar

-----Respondents

For Petitioner(s)	:	Mr. J. K. Moolchandani
For Respondent(s)	:	Mr. P. C. Sharma

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

29/08/2024

Learned counsel for the petitioner submits that vide impugned notice dated 06.08.2024 (Annexure-7), the petitioner has been informed about the rejection of his application for transfer of the catering license of refreshment stall & tea trolley at Beawar Railway Station, allotted to original licensee, late Pummi Bai and Kishan Chand and further, has been directed to close both these units immediately. Counsel submits that the same is in contravention to the Hon'ble Apex Court judgement passed in the case of **Senior Divisional Commercial Manager, South**

**Central Railways & Ors. Vs. S.C.R. Caterers, Dry Fruits, Fruit
Juice Stalls Welfare Association & Anr.; (2016) 3 SCC 582.**

Mr. P. C. Sharma has put in appearance on behalf of all the respondents. Copy of this writ petition has already been supplied to him. He seeks four weeks' time to file reply.

List after four weeks. Meanwhile, no coercive action in pursuance to the impugned notice dated 06.08.2024 shall be taken against the petitioner and petitioner is permitted to continue catering services/refreshment stall till further order. However, it is made clear that the petitioner shall be under an obligation to continue to pay the requisite license fee and the outstanding, if any.

(ANIL KUMAR UPMAN),J