

WPA 11448 of 2026

10.06.2026

Sl no. 17

Ct no. 2

P.M.

Shri Manjee Yadav

- Vs -

Union of India & Ors

Mr. Saptarshi Roy,
Ms. Kakali Das Chakraborty
... for the petitioner

Mr. Sounak Bera,
Ms. Priti Jain
... for the respondent

1. Present petition has been filed challenging the communication No. COM/G.27/Parcel-Lease/FSLR-1/8005 dated 28th April, 2026 issued by the office of the Senior Divisional Commercial Manager, Kharagpur, South Eastern Railway whereby the claim of the petitioner for adjustment of the lump sum lease freight was rejected under the prevailing policy framework and contractual obligations. The railway authority took a position that payments made by the petitioner were deposited in compliance with the stipulated conditions of the policy prescribed for reinstatement of a terminated contract and, therefore, such payments constitutes a contractual as well as statutory obligation arising out petitioner's own default.

2. During the course of submissions it has been agreed upon that the present writ petition shall be considered as representation by the respondent No. 4 and shall be decided independently expeditiously preferably within the period of three weeks after the communication of this order in accordance with law after giving the petitioner an opportunity of being heard.
3. Petitioner shall reserve his right to challenge the order, if required, passed by the respondent No. 4.
4. With this observation the present petition stands disposed of. Since the affidavit has not been filed by the respondent Union of India averments made in the writ petition shall not be treated as having been admitted.
5. Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all usual requisite formalities..

(Dinesh Kumar Sharma, J.)