

ORDER SHEET
HIGH COURT OF SINDH, KARACHI

C.P. No.D-3551 of 2020

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar.

Mr. Justice Yousuf Ali Sayeed.

Naeem Anjum & others.....Petitioner

Versus

The General Manager Operations,

Pakistan Railways, & others Respondents

Date of hearing 10.09.2020

Mr. Muhammad Mansoor Mir advocate for the petitioners.

Mr. Jaffer Hussain advocate for the Pakistan Railways.

Mr. Khilji Bilal, Assistant Attorney General.

Arshad Mehmood, Station Manager, Cantt. Station Karachi.

Muhammad Ali Mazhar, J: Learned counsel for the petitioners argued that all the petitioners are vending contractors by virtue of their individual licenses issued by Pakistan Railways for running vending stalls of food, tea, confectionary and miscellaneous items at various platforms of City Station and Karachi Cantt. Station. He further argued that at the time of granting license to the vending contractors, assurance was given that 25 trains will be operating from City Station and Karachi Cantt. to different destinations. He argued that in the Covid-19 pandemic situation since the trains were not operating, therefore, a reasonable relaxation and reduction may be allowed in the license fee.

2. On notice, Station Manager, Karachi Cantt has submitted his reply that at the time of contract, only 15 trains were in operation and the license fee from vending contractors in the lockdown period from 25.03.20 to 31.05.2020 have not been charged which statement has been confirmed by the learned

counsel for the petitioners, however, the learned counsel for the petitioners added that in the month of June, July and half month of August, 2020 there were only 10 trains operating with 60% occupancy, therefore, some reasonable relaxation in the payment of license fee may also be granted for this period.

3. Learned counsel for the Pakistan Railways submits that it is a policy matter which can only be decided by the General Manager Operations and he proposed that all the petitioners may submit a joint representation that will be forwarded to the respondent No.1 for taking into consideration the difficulties, if any, faced by all the petitioners for making payment of their license fee in the month of June, July and half month of August, 2020.

4. Learned counsel for the petitioners agrees to this proposal. Let a joint representation be filed in the office of Divisional Commercial Officer, Pakistan Railways, at Karachi who will transmit the representation to the respondent No.1. After receiving the representation, the respondent No.1 shall decide the representation within a period of one (01) month. Copy of this order be transmitted to the respondent No.1 and 3 as well as learned Assistant Attorney General for compliance. Petition is disposed of accordingly.

JUDGE

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