

105. 03.09.2026
Court No.8
(Tanmoy)

MAT/1440/2026
IA NO: CAN/1/2026

MR. JAYRAM YADAV
VS
UNION OF INDIA AND OTHERS

Mr. Saptarshi Roy
Ms. Kakali Das Chakraborty
...for the appellant.

Mr. Sanajit Kumar Ghosh
Mr. Guddu Singh
...for the UOI.

Dictated by Arijit Banerjee, J.

1. By consent of the parties, the appeal and the connected application are taken up together for hearing.
2. This appeal is directed against an order dated August 20, 2026, passed in WPA/21121/2026, being a writ petition filed by the appellant herein.
3. The appellant/writ petitioner has challenged an order of termination of a contract that was Awarded to the appellant by the Eastern Railways. The termination order is dated August 7, 2026. Termination has taken effect from August 11, 2026.
4. The appellant prayed for an *interim* order, pending disposal of the writ petition, staying the

operation of the order of termination. Such *interim* order was not granted by the learned Single Judge. Hence this appeal.

5. We see that the writ petition is still pending and the learned Single Judge is yet to take a final decision in the matter. In the event, the writ petitioner succeeds, nothing will preclude the Court from appropriately extending the contractual period insofar as the writ petitioner is concerned. At this *interim* stage, we are not inclined to interfere.

6. We see that two weeks' time was granted to the respondents in the writ petition to file affidavit-in-opposition.

7. The Railways are represented today before us. Learned Advocate for the Railways says that no affidavit has been filed till date.

8. The Railways will be at liberty to file affidavit-in-opposition to the writ petition within a week from date (10.09.2026). Reply thereto, if any, be filed within a week thereafter (17.09.2026).

9. Upon completion of pleadings or upon expiry of the time granted for exchange of affidavits, the parties will be at liberty to mention the matter before the learned Single Judge praying for an early hearing of the writ petition.

10. We make it clear that we have not applied our minds to the merits of the case. The learned Single Judge is requested to decide the writ petition without taking into consideration any observation in this order. Any fresh tender floated by the Railways in connection with the subject contract will abide by the result of the writ petition.

11. The appeal being MAT/1440/2026 and the connected application being IA No: CAN/1/2026 stand disposed of accordingly.

12. Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance with all requisite formalities.

(Arijit Banerjee, J.)

(Rishad Medora, J.)