

**IN THE SUPREME COURT OF INDIA  
EXTRA ORDINARY APPELLATE JURISDICTION**

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO.16558 OF 2026**

**M/S KAMDHENU TRADING CO.**

**PETITIONER(S)**

**VERSUS**

**UNION OF INDIA & ORS.**

**RESPONDENT(S)**

**WITH**

**SPECIAL LEAVE PETITION (CIVIL) Diary No.17936/2026**

**O R D E R**

1. Delay condoned in Diary No.17936/2026.
2. Since the issues raised in both the captioned petitions are the same, the parties are also the same and the challenge is also to the self-same order passed by the High Court, those were taken

up for hearing analogously and are being disposed of by this common order.

3. The petitioner seeks to challenge two orders passed by the High Court, one in Writ Petition (C) No. 10263 of 2025 and another in Writ Petition (C) No.10245 of 2025, respectively.

4. The dispute between the parties is in a very narrow compass.

5. The petitioner participated in an e-auction held on 26.04.2024 for PSC Sleeper 52 Kg scrap sleepers under the North Eastern Railway Division, spread over an area of 49 kms.

6. The petitioner was declared as the successful bidder for the entire lot and in accordance with the terms and conditions of the tender notice, he was obliged to lift the entire scrap within 50 days from the date of the e-auction.

7. For some reason or the other, the petitioner was unable to lift the entire scrap within the time period prescribed.

8. He kept on preferring applications seeking extension of time.

9. Later, the Railways directed the petitioner to deposit ground rent @0.5% per day under Clause 19 of the tender document.

10. Subject to deposit of this 0.5% ground rent, the Railways

asked the petitioner to lift the scrap.

11. This led to filing of two petitions referred to above. The High Court declined to interfere and rejected both the writ petitions. In such circumstances, referred to above, the petitioner is here before us with the present two petitions.

12. We heard Mr. Gaurav Agarwal, the learned senior counsel appearing for the petitioner and Mr. S.D. Sanjay, the learned ASG assisted by Mr. Venkatesh, the learned counsel appearing for the Union of India and the other respondents.

13. The facts of Special Leave Petition (Civil) Diary No.17936/2026 are identical but the terms of the tender and the amount are different.

14. Without entering into merits of the matter, we are of the view that ends of justice would be met, if we direct the petitioner to deposit an amount of Rs.10,00,000/- (Rs. Ten lakh only) in the first matter, i.e., SLP (C) No.16558 of 2026 and Rs.5,00,000/- (Rupees Five lakh only) in the second matter, i.e., Diary No.17936/2026, respectively. In all we direct the petitioner to deposit Rs.15,00,000/- (Rupees Fifteen lakh only) with the authorities concerned and lift the scrap within a period of 15 days

from today. By any chance, if the petitioner fails to deposit this amount, it shall be open for the respondents to proceed further in accordance with law.

15. It is needless to clarify that we have passed the above order in the peculiar facts and circumstances of this case. It shall not be cited as precedent.

16. In view of the aforesaid, both the Special Leave Petitions are disposed of.

17. Pending application(s), if any, stands disposed of.

.....J.  
[J.B.PARDIWALA]

.....J.  
[K.V. VISWANATHAN]

New Delhi  
08<sup>th</sup> May, 2026.

cd

ITEM NO.37+17

COURT NO.7

SECTION XI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No.16558/2026

[Arising out of impugned final judgment and order dated 30-10-2025 in WRITC No. 10263/2025 passed by the High Court of Judicature at Allahabad, Lucknow Bench]

M/S KAMDHENU TRADING CO.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IA No. 122716/2026 - CONDONATION OF DELAY IN FILING  
IA No. 122720/2026 - EXEMPTION FROM FILING O.T.

with  
ITEM NO.17

SPECIAL LEAVE PETITION (CIVIL) Diary No.17936/2026

Date : 08-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :Mr. Gaurav Agarwal, Sr. Adv.  
Mr. Manohar Pratap, AOR  
Mr. Bhavana Bisht, Adv.  
Mr. Vikrant Baniwal, Adv.

For Respondent(s) : Mr. S.D. Sanjay, ASG  
Mr. Annam Venkatesh, Adv.  
Mr. Arkaj Kumar, Adv.  
Mr. Zohed Hussain, Adv.  
Mr. Akshay Amritanshu, Adv.  
Mr. Amrish Kumar, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. Delay condoned in Diary No.17936/2026.
2. Special Leave Petitions are disposed of in terms of the Signed order.
3. Pending application(s), if any, shall stand disposed of.

(CHANDRESH)  
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)  
COURT MASTER (NSH)  
(Signed order is placed on the file)