

**2023 LiveLaw (SC) 370**

**IN THE SUPREME COURT OF INDIA**  
**SANJAY KISHAN KAUL; J., AHSANUDDIN AMANULLAH; J.**  
Writ Petition(s)(Civil) No(s). 494/2023; 28-04-2023  
**M.K. BALAKRISHNAN versus UNION OF INDIA**

**Constitution of India, 1950; Article 32 - Plea to restore concession in railway tickets for senior citizens – Cannot entertain the petition under Article 32 of the Constitution of India as the matter involves the policy decision of the Railways whether to restore the railway concession to senior citizens as was done before on the ground of being a welfare State - the matter involving a fiscal issue, it would not be appropriate for this Court to issue writ of this nature, the petitioner seeks and it is for the Government to take a call on the policy decision keeping in mind the needs of the senior citizens and the fiscal repercussions - The writ petition is dismissed.**

*For Petitioner(s) Petitioner-in-person*

**ORDER**

The petitioner appearing in person has drawn our attention to letter dated 02.01.2023. We cannot entertain the petition under Article 32 of the Constitution of India as the matter involves the policy decision of the Railways whether to restore the railway concession to senior citizens as was done before on the ground of being a welfare State.

However, this representation of the petitioner dated 02.01.2023 has been dealt with by the Ministry of Railways vide letter dated 12.01.2023 stating as under:

“reference to your dated 02.01.2023 on the above subject matter, it is informed not to give subsidy of Rs. 59,837 crore on passenger tickets in 2019-2020. This amount of 53% on an average, to every person, travelling on Railways. This giving for all passengers. Further concessions beyond this subsidy amount are come categories like Divyangjans, students and patients.”

In view of the aforesaid reason and the matter involving a fiscal issue, it would not be appropriate for this Court to issue writ of this nature, the petitioner seeks and it is for the Government to take a call on the policy decision keeping in mind the needs of the senior citizens and the fiscal repercussions.

The writ petition is dismissed with the aforesaid observations.

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