

Item No.239

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

07.09.2021
Ct-24

WPA 3060 of 2020

Delta Limited & Anr.

v.

Union of India & Ors.

with

CAN/1/2020(Old No. CAN/4351 of 2020)

with

CAN/2/2020 (Old No. CAN/4352 of 2020)

Mr. Abhrajit Mitra

Ms. Rajshree Kajaria

Mr. Satadeep Bhattacharya

Mr. Uttam Sharma

... for the petitioners.

Mr. Mohan Murari Verma

Ms. Rajashree Venkat Kundalia

... for the Union of India.

Mr. Subhankar Prasad

... for the respondent no. 4.

The writ petition was taken up for consideration by the Court on December 22, 2020 and submission was made on behalf of the respondent no. 4, Punjab State Co-operative Supply and Marketing Federation Limited that the respondent Company consumed the jute bales and payment for the same has been made by the Company to the Union of India.

The petitioner at present seeks reimbursement of the said amount from the Union of India.

Time was sought for on several occasions by the learned advocate appearing for the Union of India for taking instruction as to whether the respondent no. 4 actually paid the money to the Union of India. Instruction has since been received and it has been confirmed by the Ministry that the respondent no. 4 duly paid the money to the Union of India.

The instruction that has been given by the Ministry of Textiles to their learned counsel mentions that an amount of Rs. 2,57,87,692/- only has been withheld and the same has to be credited to the indenter's head of accounts.

Accordingly, the respondent nos. 2 and 3 are directed to take necessary steps for releasing the amount that is due and payable to the petitioners at the earliest, but positively within a period of three months from the date of communication of this order.

The instruction given by the Ministry of Textiles is retained with the records.

The writ petition and the connected applications stand disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)