

14-02-2022  
Item No.21  
Subrata

IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
Appellate Side

WPA No.223 of 2022  
SW Iron Works Pvt. Ltd. & Anr.  
-vs-  
State of West Bengal & Ors.

|                       |                           |
|-----------------------|---------------------------|
| Mr. Avra Mazumder     | ...for the petitioners    |
| Mr. Y.J. Dastoor      |                           |
| Mr. Siddhartha Lahiri |                           |
| Mr. Sujit Mitra       | ...for the Union of India |
| Mr. A. Ray            |                           |
| Md. T.M. Siddiqui     |                           |
| Mr. Debasish Ghosh    | ...for the State          |

Heard learned advocates appearing for the parties and considering their submission and in view of undisputed facts as agreed by both the parties that the issue involved in this writ petition is covered by my earlier order dated December 13, 2021 passed in WPA No.23512 of 2019 (M/s LGW Industries Limited & Ors. v. Union of India & Ors.), this writ petition being **WPA No.223 of 2022 is disposed of** by holding that this writ petition, on principle, will be governed by the aforesaid order dated December 13, 2021 passed in WPA No.23512 of 2019.

In addition, considering the submission of Mr Mazumder, learned counsel appearing for the petitioners, that the credit ledger account of the petitioners which has been blocked, that petitioners are ready to pay the amount of admitted demand by the respondents within a fortnight from date without prejudice to their rights and subject to final outcome of the adjudication to be made in adjudication in question by the adjudicating authority, if such admitted demand is paid by the petitioners within a

fortnight, respondent concerned shall allow the petitioners to operate the credit ledger account of the petitioners, within seventy-two hours from the time of making such payment.

It is clarified that since this writ petition is disposed of at the motion stage without calling for affidavits, allegations contained in the writ petition contrary to the record shall be deemed to have been denied by the respondents.

[Md. Nizamuddin, J]