

94
with
95

jdt.
12.07.2023
jb.

W.P.A. 24980 of 2022
(Khushbu Singh & Ors. vs. Union of India & Ors.)
with
W.P.A. 23890 of 2022
(D G Raj Highway Services vs. Union of India & Ors.)

Mr. Arabinda Chatterjee
Mr. Saptarshi Roy
Mr. Siddhartha Ray
Mr. Debrup Bhattacharjee
.... For the Petitioner
in WPA 23890 of 2022

Alminhaz Karim
.... For the Petitioners
in WPA 24980 of 2022

Mr. Bilwadal Bhattacharyya
Mr. Arijit Majumdar
.... For the Railway
in both matters

Mr. Amal Kr. Sen
Mr. Swapan Kr. Pal
.... For the State
in WPA 23890 of 2022

Mr. K. Chanda
Mr. S. Mitra
Mr. I. Karfa
.... For the Respondent No. 5
in WPA 23890 of 2022

Learned counsel for the petitioner in WPA 23890 of 2022 submits that he seeks refund of earnest money deposited by him in view of termination/withdrawal of the tender in question by the railway authorities and is not claiming interest thereon.

In view of the above, the railway authorities are directed to refund the earnest money deposited by the petitioner in WPA 23890 of 2022 to the tune of Rs.1,30,00,000/- and earnest money to the tune of Rs.50,00,000/- to the respondent No. 5 in WPA 23890 of 2022 within 10th August, 2023.

With the above observation and direction both the writ petitions being WPA 24980 of 2022 and WPA 23890 of 2022 are disposed of.

Interim order passed in WPA 23890 of 2022 on 19th December, 2022 stands vacated.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)