

Sl.No.

I 08.08.2024

Court

No. 35

G.S.Das

WPA 11725 of 2021

Jalan Inter Continental Hotels Pvt. Ltd. & Anr.

-Vs-

The CBI & Ors.

Mr. Soumya Majumder

Ms. Anna Malhotra

Ms. Hasnuhana Chakraborty

Mr. Rishav Maity

... for the petitioner

Mr. Lokenath Chatterjee

Mr. Subhajit Das

... for the CBI

Mr. Amit Kumar Tripathi

... Inspector/CID

The grievance of the petitioners relate to the refund made by the Income Tax Department on 25.11.2019 and 27.05.2020, which are of Rs. 26,03,280.00/- and Rs. 26,87,850.00/-.

The petitioners were informed that in connection with RC0102015A0001, CBI, ACB, Kolkata has frozen the account.

It has been informed to this court and, also in the affidavit in opposition, it

has been contended by the CBI that the aforesaid amount is outside the purview of the subject-matter of investigation and, as such, they do not have any objection, if the same is returned to the petitioners.

It has also been submitted on behalf of the CBI that the amount which has been frozen relates to Rs.1.69 crore in the account number 001737055 of JICHPL maintained with the RBL Bank.

In view of the contentions so advanced by both the parties, I am of the opinion that as the CBI case being RC0102015A0001 is pending before the Id. Special Judge, CBI Court No. 1, Bichar Bhawan, Calcutta, then, if any application for refund of the amount as prayed for by the petitioners is filed before the Id. jurisdictional CBI Court, in that case, the Id. Special Court will refund the amount as referred to above on such terms and

conditions as it deems fit and proper.

With the aforesaid observations,
WPA 11725 of 2021 is disposed of.

Pending application, if any, is also
disposed of.

The Instructing Officer from the
CBI is present in court. His further
appearance before this court is dispensed
with.

Pending application, if any, is also
disposed of.

Parties to act on a server copy
of this order duly collected from the
official website of the Hon'ble High Court,
Calcutta.

(Tirthankar Ghosh, J.)