

WPA 80 of 2025

Saha Enterprises
Vs.
The Chairman & Managing Director Food Corporation
of India & Ors.

Mr. Arindam Das
Ms. Ananya Chakraborty
.... for the petitioner

Mr. Devajyoti Barman
Ms. Sanjukta Basu Mallick
..... for the FCI

1. The petitioner assails the notice dated November 11, 2024, asking him to refund money which was erroneously paid to the petitioner. The petitioner's case is that he was working as a handling transport contractor ferrying the food products from the railway siding to the depot of the Food Corporation of India. This distance, as indicated in the tender, was 2.0 km. since 2018.
2. Sometime in 2023, after a fresh enquiry by a Committee, it was found that the distance was actually 1.5 km. and not 2.0 km.
3. The petitioner is presently continuing under fresh tender, based on the distance being specified as 1.5 km.
4. The trouble, started, when the respondents sought refund for the excess 0.5 km. from 2018 till 2024.

5. It presently transpires from the submissions made by the learned Advocate appearing for the respondents that the notice has become redundant, as in pursuance of such notice an order has been passed by the General Manager (Regional) on January 13, 2025.
6. Thus, the writ petition, challenging the aforestated notice, has presently become infructuous.
7. However, Mr. Barman, learned Advocate appearing for the respondents, submits that the petitioner has his remedy to approach the Grievance Redressal Committee (hereinafter referred to as "GRC") to assail the order passed by the General Manager (Regional) in terms and conditions of Clause XVIII(b) governing the contract between the parties.
8. Thus, the petitioner is granted leave to approach the Grievance Redressal Committee and challenge the order of November 13, 2025 in terms of the tender.
9. The instant writ petition is, thus, disposed of with the aforestated directions.
10. There shall, however, be no order as to costs.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)