

D/L 13
10.06.2025
Court No.14
PRADIP

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

**WPA 3042 of 2025
(CAN 1 of 2025)**

**ITT Shipping (Private) Limited & Anr.
Vs.
Ministry of Ports, Shipping and Waterways & Ors.**

Mr. Ratnanko Banerji, Sr. Adv.
Mr. Shaunak Mitra
Ms. Ruchira Goenka
Mr. Souvik Kundu
Mr. Abir Debnath

...for the Petitioners.

Mr. Kumaresh Dalal
Mr. Pradyat Saha

...for the Union of India.

1. The order passed by the Engineer & Ship Surveyor cum DDG (Tech) dated 23rd May, 2025 is placed before this Court.
2. The authority has opined that the Document of Compliance issued by the Director General of Shipping to the petitioners stands invalid. The petitioners are aggrieved by the same.
3. The speaking order mentions about the appellate forum under Section 13 of Merchant Shipping Notice 9 of 2014 before the Director General of Shipping, Government of India.
4. It will be open for the petitioners to apply before the appellate authority in accordance with law.
5. The submission of the petitioners with regard to paragraph seven of the order dated 20th May, 2025 directing the Director of Shipping to take a decision in

the matter is considered by the Court. It appears that the speaking order has not been passed by the Director of Shipping, as directed by the Court, but has been passed by the Engineer & Ship Surveyor cum DDG (Tech). The speaking order mentions that the Director General of Shipping is the appellate authority.

6. On the day the order was passed, it was not pointed out before the Court that the Director General of Shipping is the appellate authority for which the Court passed direction upon the Director of Shipping to pass the reasoned order. As it appears that the speaking order has been passed by the competent authority and the Director of Shipping is the appellate authority, accordingly, the Court is not inclined to interfere with the speaking order placed in Court today.
7. It will be open for the petitioners to prefer appeal in accordance with law.
8. It is made clear that the Court has not entered into the merits of the speaking order and it will be open for the petitioners to raise all issues before the appellate authority.
9. The writ petition and the connected application stands disposed of.
10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)