

08.04.2025
Item No.49
Ct. No.01
SM/SG

FMA 413 of 2025
with
IA NO: CAN/1/2025

PLABAN CHATTERJEE
VS
UNION OF INDIA AND ORS.

Mr. Sabyasachi Chatterjee, Adv.
Mr. Indranil Munshi, Adv.
Mr. Kiron Sk., Adv.

....For the Appellant

Mr. R.N. Majumdar, Adv.
Mr. S.M. Obaidullah, Adv.
Mr. G. Chakraborty, Adv.

....For the P.N.B.

1. This intra-court appeal by the writ petitioner is directed against one portion of the order passed in the writ petition being WPA 2497 of 2017 dated 24th January, 2025. The learned advocate appearing for the respondent-bank has submitted that the order and direction issued by the learned Single Bench has been complied with.
2. The appellant/writ petitioner seeks for enhancing the rate of interest which was granted by the learned Single Bench while refunding deposited in the names of persons whose particulars were furnished in the writ petition.
3. Learned Single Bench awarded 6% interest. In our view, award of such interest was at the discretion of the learned Single Bench. The interest is neither

statutory nor flows from any contractual obligation. Apart from that, there was serious allegation against the writ petitioner. Departmental proceedings were initiated which was put to challenge after 14 years. That apart, C.B.I. had registered a case and after full trial the appellant/writ petitioner was acquitted on the ground of benefit of doubt.

4. Therefore, we find no ground to interfere with the exercise of discretion by the learned Single Bench by awarding interest of 6%.

[T.S. SIVAGNANAM]
CHIEF JUSTICE

[CHAITALI CHATTERJEE (DAS), J.]