

28-07-2025
Item No.9
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.5418 of 2024

Subodh Jaiswal

-vs-

Union of India & Ors.

Ms. Micky Chowdhury
Mr. Protyush Chatterjee ...for the petitioner

Mr. Kaushik Dey
Mr. Tapan Bhanja ...for the Customs authority

Mr. Samrat Chowdhury ...for the respondent no.5

Mr. Barmik Ghosh ...for MSTC Ltd.

1. It surfaces from the submission made on behalf of all the parties that the petitioner's bid stood cancelled because of non-fulfilment of certain conditions. The petitioner seeks refund of the bid amount along with interest.
2. The Customs authority has filed an affidavit disclosing that the custodian of the money is ready to refund the amount deposited by the petitioner upon furnishing requisite documents to the concerned department. The authority has, however, denied the issue of payment of interest, as the petitioner was himself unable to submit required documents on time.
3. As the authority is agreeable to refund the principal amount, it will be open for the petitioner to collect the same on compliance of the necessary formalities.
4. As regards interest, the same has been disputed

by the authority, and such disputed question cannot be adjudicated by this Court under Article 226 jurisdiction.

5. Accordingly, it will be open for the petitioner to approach the competent forum for resolution of such dispute in accordance with law, if so advised.
6. The writ petition stands disposed of.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]