

24.09.2025
Sl. No. 27
Ct No. 3
SG

WPA 6892 of 2023

**Ganapati Maity
Vs
Haldia Municipality & Ors.**

Mr. Anindya Sundar Das,
Mr. Shaunak Ghosh,
Ms. Paramita Mondal,
Ms. Suva Gayen,
Mr. Suman Halder.

...for the petitioner

Mr. Debashis Karmakar,
Mr. Arya Nandi.

...for respondent no. 5

1. Affidavit-of-service is taken on record.
2. The petitioner has preferred the present writ petition being aggrieved by the inaction on the part of the respondent in failing to refund Rs.8,00,000/- along with 12 per cent interest p.a, which was deposited in lieu of the allotment of shop at Sonartari Shopping Complex at City Centre, Debhog, Haldia, Purba Medinipur.
3. This is the second round of litigation between the parties. The case of the petitioner is that by an allotment letter dated 06.02.2009, the respondent authorities allotted a shop in the abovementioned market place in favour of the petitioner for a lease period of 99 years. In terms thereof, the petitioner had deposited an amount of Rs.8,00,000/- towards lease premium. The possession letter was issued in favour of the petitioner on 19.05.2017. Subsequently, vide letter dated 11.11.2019,

the respondent cancelled the aforesaid allotment on the ground that the petitioner was not willing to run business from the allotted shop. In the said cancellation order, it was further stated that the respondent was willing to refund an amount of Rs.6,00,000/- after deducting 25 per cent of the deposited premium of Rs.8,00,000/-. The petitioner at the outset states that he would be satisfied if the amount of Rs.6,00,000/- is refunded to him.

4. Learned Counsel for the respondent-Haldia Municipality has come up with a cheque of Rs.6,00,000/- in favour of '*Adarsha Hotel & Restaurant*' which has been handed over to the learned Counsel for the petitioner.

5. A copy of the cheque has been taken on record. Learned Counsel for the Respondent points out that the allotment was made in favour of *Adarsha Hotel & Restaurant*, whereas the present petition has been filed by *Ganapati Maity*. Learned Counsel for the Petitioner clarifies that *Ganapati Maity* is the sole proprietor of *Adarsha Hotel & Restaurant* and, therefore, the rightful allottee entitled to receive the refund of Rs. 6,00,000/-. In view of the aforesaid clarification, the grievance of the Petitioner stands redressed, and the Petitioner undertakes not to raise any further claim for damages against the Respondent-Haldia Municipality arising out of the cancellation of the said shop allotment.

6. In view of the said development, nothing survives in the present writ petition. Accordingly, the same is disposed of with the refund of Rs.6,00,000/- to the petitioner and his grievances being addressed.

(Gaurang Kanth, J.)