

09.07.2025
Item No. 10
Ct. No. 30
AN

WPA 8591 of 2021
(WPO 424 of 2021)
(CAN 1 of 2021)

Tapas Kumar Samanta & ors.
vs.
Union of India & ors.

Mr. Soumya Majumder
Mr. Kajal Roy
Mr. Suman Nandi

... for the petitioners

Mr. Kallol Basu
Mr. Ashok Kumar Jena

... for the KOPT

Mr. Ashok Prasad

... for the U.O.I.

The affidavit, as directed, vide order dated 19.06.2025
filed by the petitioners is taken on record.

It appears that a total sum of Rs. 42,22,639/- which
includes interest is deposited with the learned Registrar
General, High Court, Calcutta.

It is the case of the petitioners that substantial amount
of their claim has been secured by an order of the Court, which
in course of time has accrued a substantial amount of interest.

It is further submitted that the said total amount
accrued more or less meets the claim of the petitioners and as
such the petitioners have prayed that the writ petition may be
disposed of with liberty granted to the writ petitioners to receive
the amount secured with the learned Registrar General, High
Court, Calcutta which includes the interest and be disbursed as
per break up given in paragraph 3 of the supplementary

affidavit filed today. The interest may also be disbursed similarly.

Learned counsel appearing for the respondent Kolkata Port Trust submits that though they are the principal employer, the petitioners' claim is entirely against the contractor and the amount has been secured by invoking the bank guarantee which was deposited by the contractor against whom the petitioners' initial claim arose. The petitioners have now been prayed for disposal of the writ application on recording satisfaction of receiving the secured amount (deposited).

The petitioners, at this stage, do not have any claim against the Kolkata Port Trust in respect of any relief prayed for in this writ application.

The writ application is, thus, **disposed of** with a direction that the petitioners are at liberty to withdraw the amount including the interest which has been secured in this case with the learned Registrar General.

Consequently, connected applications also stands disposed of.

WPO 424 of 2021 stands disposed of.

Interim order, if any, stands vacated.

There will be no order as to costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Shampa Dutt (Paul), J.)