

24-09-2025
Item No.22
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.18010 of 2023
Pradip Mitra
-vs-
Union of India & Ors.
with
CAN No.1 of 2025

Ms. Kakali Dutta ...for the petitioner

Mr. Arabinda Sen
Ms. Ashima Roy Chowdhury ...for Union of India

1. The allegation of the petitioner is that the earnest money, security deposit and performance guarantee are being withheld by the respondent authorities illegally and arbitrarily. Prayer has been made to release the same along with interest.
2. Learned counsel for the railways relies upon a communication of the Senior Divisional Engineer, Eastern Railway, Asansol dated September 15, 2025 which mentions that as the railway administration rescinded the contract of the petitioner, hence the security deposit, earnest money deposit and performance guarantee under the contract shall be encashed/forfeited; and that there is no provision for returning the same to the petitioner.
3. Let a formal communication be made to the petitioner to this effect.
4. It will be open for the petitioner to challenge the action of the authority before the competent

forum in accordance with law, if so advised.

5. The writ petition stands disposed of.
6. Consequently, the connected application is deemed to be 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]