

M/L 78
11.07.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 21436 of 2024

Supreme Paper Mills Limited & Anr.
Vs.
Eastern Coalfields Limited & Anr.

Ms. Aparajita Rao
Ms. Nabanita Das
Mr. Sanwal Tibrewal

...for the Petitioners.

Ms. Subesha Banerjee

...for the Respondent.

1. The petitioners are aggrieved by the action taken by the respondent authority in terminating the contract and invocation of the performance security bank guarantee.
2. According to the petitioners, the petitioners terminated the contract in the year 2021 and the authority could not have again terminated the same contract by passing the impugned order in June, 2024.
3. It has been submitted that the authority ought not to have invoked the bank guarantee.
4. Upon hearing the submission made on behalf of the petitioners, it appears that there was a contract in between the parties pursuant to which the parties acted.
5. Whether the action of the respondent authority is in accordance with the contractual terms and conditions cannot and ought not to be decided by the Writ Court.
6. In view of the above, the Court is not inclined to exercise jurisdiction in the matter, the writ petition fails and is hereby dismissed.

7. It will be open for the petitioners to approach the competent forum for remedy, in accordance with law, if so advised.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)