IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

Present:
The Hon'ble Justice Debangsu Basak
And
The Hon'ble Justice Md. Shabbar Rashidi

MAT 46 of 2025
with
IA No.: CAN 1 of 2025

Ringtong Tea Co. Pvt. Ltd. & Anr.
Vs.
The Union of India & Ors.

For the appellants	:Mr. Amales Ray, Ld. Sr. Advocate Mr. Nigam Mittal, Advocate
For the respondents Tea Board	:Mr. Sudipto Kumar Mazumdar, Ld. DSGI Mr. Ajoy Kumar Singhania, Advocate
Heard & Judgment on	: November 17, 2025

DEBANGSU BASAK, J.:-

1. Appeal is directed against the judgment and order dated May 2, 2025 passed in WPA 3152 of 2022 by the learned Single Judge.
2. By the impugned judgment and order, learned Single Judge dismissed the writ petition of the appellants before us.
3. Learned Senior Advocate appearing for the appellants submits that, the appellant no.1 runs a tea garden. Union of India formulated schemes from time to time which were to be implemented through the Tea Board

in respect of all tea gardens. He submits that, the appellant no.1 qualifies to receive the benefits under the schemes promulgated by the Union of India from time to time and implementable by the Tea Board. He draws the attention of the Court to the various documents in support of his contention.

4. Learned Senior Advocate appearing for the appellants submits that, there are correspondence emanating from the Tea Board which establishes that, the appellant no.1 undertook rejuvenation work. He points out that, the quantum of the rejuvenation work undertaken was established by the letters written by the inspecting officer under the concerned scheme.

5. Learned Senior Advocate appearing for the appellants submits that, from time to time the authorities found and, in fact, gave in writing that, the appellant no.1 was eligible to receive certain benefits under the subsisting schemes promulgated from time to time. He submits that, the Union of India replaced one scheme with the other, however, maintaining continuity under each of the scheme. He submits that, claims as late of as 2012 remain unpaid till date.

6. Referring to the present scheme invoking and particularly to Clause 1.15 thereof, learned Senior Advocate appearing for the appellants submits that, under such Clause the appellants and, in fact, any tea producer will be entitled to produce under the subsisting scheme a sanctioned letter in respect of previous schemes. He submits that, the authority deliberately

did not issue sanctioned letter for the earlier schemes, therefore, denuding the rights of the appellants.

7. Learned Senior Advocate appearing for the appellants relies upon ***(2023) 10 Supreme Court Cases 634 (State of Jharkhand and Others vs. Brahmputra Metallics Limited, Ranchi and Another)*** on the issue of promissory estoppels. He submits that, on an expansive understanding of the principles of promissory estoppel and applying the same, in the facts and circumstances of the present case, the appellants are entitled to the reliefs as prayed for.

8. Respondents authority are represented.

9. Appellant no.1 is engaged in the business of producing tea and selling of the tea. Union of India, from time to time, formulated various schemes to assist the tea producers.

10. Appellant no.1 claims to be entitled to receive benefits under the schemes so formulated by the Union of India implementable through the Tea Board. Such claims are vehemently denied by the respondents.

11. The issue as to whether, the appellants are entitled to the benefits under the schemes of the Union of India and implementable through the Tea Board is an issue of fact. A Writ Court need not enter into the arena of disputed questions of fact with regard to the quantum of benefits that, the appellants no.1 is entitled to under the various schemes of the Union of India implementable through the Tea Board.

12. One issue, however, is established. The appellant no.1 is yet to receive a sanctioned letter in respect of the previous subsisting schemes. With the promulgation of the new scheme, existence of a sanctioned letter for the earlier scheme is a *sine quo non* for the appellants to receive all the benefits under the new scheme.

13. We perused the reliefs sought for by the appellants in the writ petition. The reliefs largely revolve around seeking declaration that a particular portion of Paragraph 1.15 of the scheme presently in vogue, is arbitrary. The portion which the appellants seek declaration as arbitrary relates to the need for the appellants to obtain a sanctioned letter under the previous scheme to receive the benefits under the present operating scheme. Such Clause under the new scheme as enunciated in Paragraph 1.15 thereof applies across the board to all tea producers. There is no element of discrimination as against the appellants with regard thereto. At least nothing placed on record to establish before us on the issue of discrimination.

14. It is for the Union of India to decide the modus of implementation of the scheme. We find that the scheme as it stands is not established to be discriminatory or arbitrary or violative of any of the fundamental rights of the appellants and cannot be struck down on the mere asking.

15. Failure of the appellants to procure the sanctioned letters under the previous existing scheme will not render the clause of the new scheme as arbitrary or liable to be quashed.

16. The other relief of the appellants in the writ petition relates to issuance of sanctioned letter under the previous scheme. As noted above, that is a disputed question of fact which need not be decided by a Writ Court.

17. The principles of promissory estoppel and legitimate expectation as enunciated by the Hon'ble Supreme Court in ***Brahmputra Metallics Limited, Ranchi and Another*** (supra) are not attracted to the facts and circumstances of the present case. The fundamental basis for the appellants to invoke such principles is the alleged failure of the Union of India to act in terms of either existing scheme or the earlier scheme. In the facts and circumstances of the present case, the appellants are yet to establish the same conclusively.

18. In such circumstances, we find no merit in the present appeal.

19. **MAT 46 of 2025** and **IA No.: CAN 1 of 20**25 are **dismissed** without any order as to costs.

(Debangsu Basak, J.)

20. I agree.

(Md. Shabbar Rashidi, J.)

(AD)