

**08.06.2026**  
Court No. 12  
ML 21  
June 2026  
**Sandip**

IN THE HIGH COURT AT CALCUTTA  
CIVIL APPELLATE JURISDICTION  
APPELLATE SIDE

**M.A.T. 857 of 2026**  
**I.A. No : CAN 1 of 2026**

**City Mall Vikash Private Limited & Anr.**  
**Vs.**  
**The Union of India & Ors.**

Mr. Saptanshu Basu, Sr. Adv.,  
Mr. Krishnaraj Thakar, Sr. Adv.,  
Mr. Rajashree Basu,  
Mr. Deepak Kumar Jain  
.....for the appellants.

Mr. Barnik Ghosh  
....for the MSTC.

Mr. Kishore Datta, Sr. Adv.,  
Mr. Sourav Ghosh,  
Mr. Snehashis Sen  
....for the KOPT.

Mr. Abhrajit Mitra, Sr. Adv.,  
Mr. Sourav Bhagat,  
Mr. Deepan Kumar Sarkar,  
Mr. Yash Singhi,  
Mr. Jishnujit Roy,  
Mr. Shourya Samanta,  
Ms. Deveshi Bose  
....for the respondent no. 4.

- 1) We are not inclined to interfere with the order of His Lordship.
- 2) The writ Court could not have interfered with the bidding process once it was over as it was not within the domain of the writ Court to decide whether the appellants should be allowed to re-bid/bid afresh on account of any technical glitch which the appellants may have faced. Admittedly, the technical glitch, if at all, was at the end of the appellants and not on the

part of the MSTC Ltd., that is, the platform which held the process on behalf of the Port Trust. His Lordship had rightly left it open to the Port Trust to take a decision whether to proceed on the bid received or not. The auction was held in respect of a land belonging to the Port Trust.

3) Mr. Basu, learned senior advocate submits that a representation has been filed before the port authorities by the appellants and the same may be directed to be considered.

4) As His Lordship has already held that it is upto the Port Trust to decide the issue raised by the appellants, it is for the Port Trust to decide the fate of the bidding process in accordance with law and inform the fate of such decision to the respective parties. The decision of the Port Trust will reach the parties expeditiously. The question of hearing being granted to the parties does not arise. The representation is already before the Port Trust.

5) Accordingly, the appeal and the connected application are disposed of.

**(Shampa Sarkar, J.)**

**(Ajay Kumar Gupta, J.)**