

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

WPA/341/2022
IA No: CAN/3/2025
IA No. CAN/4/2026

M/s Fairmacs Shipping & Transport Service Private Limited

Vs

The Lt. Governor & 02 Others

Mrs. Anjili Nag, Sr. Adv.

Mr. Deb Kumar Bawali

Ms. Sohini Biswas

... for the petitioner

Mr. Rakesh Kumar

... for the Respondents

With

WPA/276/2022
IA No: CAN/1/2022

M/s Yar Shipping & Catering Private Limited

Vs

The Lt. Governor & 02 Others

Mr. V.D.Sivabalan

... for the Respondents

April 27, 2026

[AKB]

Item No.16 & 17

RE:- WPA/341/2022, IA No. CAN/4/2026

1. CAN/4/2026 is an application filed by the petitioner praying, *inter alia*, for the following reliefs, which are reproduced below:-

a) *To direct the respondent authorities to renew the licenses issued in favour of the petitioner by disposing of the renewal applications submitted online dated 26.02.2026, 27.02.2026, 14.03.2026.*

b) *To direct the respondent authorities to permit the petitioner to continue to use the subject berth and run its business till the disposal of the writ petition.*

c) *Any other order, further order as this Hon'ble Court may deem fit and proper under the facts and circumstances of case."*

2. The petitioner places reliance on the order dated 26.09.2026 passed by a Coordinate Bench whereby the petitioner has been permitted to participate in the proceedings pursuant to the Show Cause Notice dated 11.07.2022. The Coordinate Bench has specifically directed the Port Management Board shall not pass any final orders without the leave of this Court.

3. The licenses granted to the petitioner by the Port Management Board for stevedoring, shipping agent and for clearing and forwarding at the port of Port Blair lapsed on 04.04.2026 and 24.04.2026. Renewal application dated 26.02.2026, 27.02.2026 and 14.03.2026 are pending consideration.

4. It is an undisputed position that respondent No.3 has consistently renewed the petitioner's license from time to time. The sole ground of non renewal of the licenses are due to pendency of the writ petition.

5. In conspectus of the above facts as adumbrated herein this Court finds that the petitioner has been able to make out a *prima facie* case and an interference is warranted at this stage.

6. Having regards to the consistent past renewals, the interim protection granted on 26.09.2022 and the fact of non renewal would cease the operation of the business.

7. Accordingly the respondent No.2 is directed to renew the license in favour of the petitioner. The respondents are restrained by an order of injunction from taking any coercive action against the petitioner. The petitioner shall be permitted

to continue to use the subject berth, subject to payment of current dues.

8. It is further made clear that the pending applications for the renewal of license shall be considered and disposed of forthwith preferably within a period four weeks from the date of communication of this order. All directions issued herein are interim in nature and shall be subject to the final outcome of the main writ petition being WPA/341/2022.

9. In view of the above CAN/4/2026 is allowed and disposed of.

(Smita Das De, J.)