

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

WPA/348/2026

Shri Y. Mohd. Saleem

Vs

The Port Management Board and Others

Mrs. Anjili Nag, Sr. Adv.
Ms. Deb Kumar Bawali ... for the petitioners

Mr. Rakesh Kumar ... for the respondent nos.1 to 3 & 5

Mr. Sumit Kumar Karmakar ... for the respondent no.4

July 10, 2026
[AKB]
Item No.24

The writ petitioner alleges arbitrary action on the part of the respondents in impeding the work of *“lifting and removing the wreck/vessel i.e. apprehended Myanmar wooden boat along with the materials lying in the vessel including the cargo hatch and using the same as an owner of the said apprehended Myanmar wooden boat along with the material lying inside the vessel including the cargo hatch”*.

The petitioner had participated in a tender process initiated by the Port Management Board for sale of certain items listed in the tender notice on *“as is where is, as is what is”* and *“no complaint”* and *“caveat emptor basis”*.

It is the petitioner’s case that the apprehended Myanmar vessel along with all material lying therein, has been sold to the petitioner pursuant to the petitioner’s selection as the successful bidder.

Ms. Nag, learned Senior Advocate appearing for the petitioner submits that upon being selected as the successful bidder when the petitioner started the lifting operation and started removing the material lying inside the apprehended Myanmar vessel, officials from the CID Wing impeded the petitioner's work on the ground that certain logs of wood belonged to the CID and the same could not be removed or taken away by the petitioner.

She invites the attention of the Court to a letter dated March 29, 2026 issued by the Port Management Board to the Station House Officer, CID Branch, Sri Vijaya Puram and submits that the petitioner was awarded the tender only upon a "no objection" being given by the respondent CID authorities in respect of material that was lying inside the apprehended Myanmar vessel.

Indeed the said letter dated March 29, 2026 (at the penultimate paragraph of the first page of the letter) suggests that a no objection had been received by the Port Management Board from the office of the Station House Officer, CID Branch, Sri Vijaya Puram at the time when notification/advertisement dated April 7, 2023 which had been published for auction of the wreck to the MSTC portal.

In such view of the matter, the said letter assumes importance.

Both Mr. Kumar appearing for the Port Management Board as well as Mr. Kumar are requested to place the said letter before the Court when the matter will be taken up next.

Let such letter be produced before the Court on July 13,
2026.

(Om Narayan Rai, J.)