

21.07.2026.
Item No. 17.
Court No. 13
ap

M.A.T. 553 of 2025
With
I.A. No. CAN 1 of 2025
M/s. Kesoram Rayon
Versus
The State of West Bengal & Ors.

Mr. Soumya Majumder, Id. Sr. Advocate,
Mr. Sandip Kundu,
Mr. Malay Kumar Seal.

....For the Appellant.

Mr. Suvadip Bhattacharjee.

...For the respondent no.5.

1. This Court has heard the arguments of Mr. Soumya Majumder, learned Senior Advocate for the appellant/employer and Mr. Suvadip Bhattacharjee, learned Counsel for the workman.

2. While this Court has found infirmities in the order of the Tribunal as well as the learned Single Judge of this Court, this Court had offered to the workman as well as employer, a proposal for putting to an early end the litigation between the parties.

3. Learned Counsel for the workman has agreed as has the employer.

4. Having regard to the submissions made in Court today, this Court directs that the appeal be disposed of. Let Provident Fund be paid to the victim from the date of deposit till the date of dismissal i.e. 4th April, 2012. Gratuity shall, however, be paid to the workman for the entire period of service based on his superannuation at the age of 55 i.e. that would come sometime in 2024.

5. In addition to the above, the bonus, leave salary, dress allowance, any medical allowance and all other allowances upto 2011, as may be applicable, shall also be released by the Management in favour of the workman.

6. The gratuity shall be calculated on the basis of all applicable revision of salaries and allowances upto the age of superannuation.

7. The workman shall not be entitled to any back wages from the date of his dismissal till the date of superannuation.

8. Let the aforesaid sums be calculated and paid to the workman within a period of one month from date.

9. With the aforesaid observations, the impugned judgment and order of the Tribunal shall stand set aside.

10. M.A.T. 553 of 2025 shall stand disposed of.

11. In view of disposal of the appeal itself, the connected application being CAN 1 of 2025 shall also stand disposed of.

12. There will be no order as to costs.

13. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Rai Chattopadhyay, J.)