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RP

17.11.2021
Ct. No. 16

MAT 201 of 2012
with
IA No. CAN 1 of 2012 (Old No. CAN 1149 of 2012)
IA No. CAN 2 of 2012 (Old No. CAN 3959 of 2012)

M/s. Lite Metal Industries & anr.
vs.
State of West Bengal & ors.

Mr. Rananeesh Guha Thakurta
... for the appellant

This mandamus appeal filed by the management challenging the order dated 15.12.2011 passed in WP No. 18349(W) of 2011. The said writ petition was filed challenging the order dated 17.10.2011 passed by the controlling authority under the Payment & Gratuity Act, 1972. The learned single Judge disposed of the writ petition by giving liberty to the writ petitioner to prefer an appeal against the order impugned in the writ petition against which the present appeal has been filed.

We have heard learned counsel for the appellant representing Mr. Laxman Ch. Halder, learned advocate on record for the appellant. It is submitted by the learned counsel for the appellant that the learned counsel is unable to contact the Directors of the appellant company and, in fact, addressed a letter to the Directors by speed post and the same has been returned by the postal department with endorsement left. Therefore, he submitted that an appropriate order may be passed.

We have perused the order of the learned single

Judge and we find that there is no error in the said impugned order. If at all, the appellants are not inclined to pursue the appeal, they should have preferred statutory appeal before the controlling authority.

The appeal and the connected applications are hereby **dismissed**.

(T. S. Sivagnanam, J.)

(Hiranmay Bhattacharyya, J.)