

16.11.2021
jb.

W.P.A. 16274 of 2021
(Ramanand Chwdhury vs. State of West Bengal & Ors.)

Mr. Lakshman Chandra Halder
.... For the Petitioner

Mr. Soumitra Bandyopadhyay
Mr. Priyabrata Batabyal
.... For the State

Affidavit-of-service filed on behalf of the petitioner is taken on record.

The grievance of the petitioner is that the third respondent has not been implementing the order passed by the Labour Court on 14th December, 2018 for recovery of back wages.

The operative portion of the relevant order dated 14th December, 2018 is set out hereinbelow:

"Hence it is

Ordered

that in view of order and direction given by the Hon'ble High Court, Calcutta in W.P. 25738 (W) of 2014, the applicant do get a sum of Rs.4,99,445.20 along with simple interest @ Rs. 9% per annum of the actual

payment is made. M/s Eastern Manufacturing Company Ltd. is hereby directed to pay the above mentioned amount along with interest as mentioned in this order within 10 days from the date of receipt of the copy of the order, either by itself or through its agent, in default, the applicant is at liberty to realise the aforesaid amount and interest by suitable proceedings.

This is the award."

The petitioner filed an application before the third respondent for implementation of the said order, but to no effect.

Upon consideration of the submissions made on behalf of the parties and material on record including the order dated 14th December, 2018, the writ petition is disposed of with a direction upon the third respondent to cause implementation of the said order by initiating recovery proceeding within one month from the date of communication of this order.

W.P.A. 16274 of 2021 is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)