

**16.11.2021**  
**jb.**

**W.P.A. 16284 of 2021**  
**(Awadh Narayan Jha vs. State of West Bengal & Ors.)**

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

**Mr. Ansar Mondal**  
**Ms. Srilekha Bhattacharyya**  
**.... For the State**

The grievance of the petitioner is that the third respondent has not been implementing the order passed by the Labour Court on 26<sup>th</sup> September, 2007 for recovery of back wages.

The operative portion of the relevant order dated 26<sup>th</sup> September, 2007 is set out hereinbelow:

"Hence it is

Ordered

That the application u/s. 33C(2) of the Industrial Disputes Act succeeds on contest. The applicant, Awadh Narayan Jha do get an award for Rs. 2,69,316(Rupees two lakhs sixty nine thousand three hundred sixteen only) against the O.P. Company. The O.P. M/s. Usha Martin Ventures Ltd. is directed to make

payment of the awarded amount of Rs.2,69,316/- to the applicant within 2 months from the date of passing of this order i/d O.p. would be liable to pay interest @ 12% per annum on the awarded amount from the date of filing of this case i.e. from 15.5.2001 till realisation of the entire amount and the applicant will be at liberty to get the decree executed through Court."

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 26<sup>th</sup> September, 2007, 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. 16284 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.)**