

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/259/2011

SRI SUKHENDU SARKAR
Versus
UNION OF INDIA & ORS.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 18th February, 2021.

Appearance :
Mr. Apurba Kumar Ghosh, Adv.
Md. Apzal Ansari, Adv.
... for the petitioner.

Mr. Krishnapada Pal Adv.
... for the respondent nos. 3 to 6.

Mr. Kumarjyoti Tiwari, Adv.
... for the respondent.

The Court: The petitioners are employees of the Kolkata Dock Labour Board. The grievance of the petitioner is directed towards wage revision and other benefits which they seek from the Calcutta Dock Labour Board. Counsel on behalf of the Calcutta Dock Labour Board is represented and submits that payment of funds is not to be made by them but by the Union of India. Counsel on behalf of the Union of India is represented and submits that any grievance towards payment of alleged dues of the petitioners should be directed to the Institute of Foreign Trade. Significantly, the Institute of Foreign Trade has not been made a party to this petition. As such, no effective order can be passed

against the Union of India or the Calcutta Dock Labour Board. However, in view of the fact that the petitioner alleges to be an employee and his dues are pertaining to medical expenses, settlement of wage revision, retiral benefits and pension, the petitioner is granted liberty to make an appropriate representation to the Director of Institute of Foreign Trade having its office at New Delhi. It is expected that if such representation is made within a period of two weeks from date, the designated officer of the Institute of Foreign Trade will consider and dispose of the representation of the petitioner within a period of eight weeks from the date of receipt of the same.

With the aforesaid directions, WPO/259/2011 stands disposed of.

I make it clear that in considering the representation of the petitioner the designated officer of the Institute of Foreign Trade will give a right of hearing to the petitioner or his authorized representative and pass a reasoned order. I also make it clear that nothing in this order will be binding on the concerned officer of the Institute of Foreign Trade nor will he be influenced insofar as the merits of this case are concerned.

(RAVI KRISHAN KAPUR, J.)