

15.02.2022
Court No.13
Item No.11
AP

WPA 695 of 2022

**M/s Second Vivekananda Bridge Tollway Company
Private Limited and Anr.**

Vs.

The State of West Bengal and Ors.

(Through Video Conference)

Mr. S. Banerjee
Mr. Suprotic Roy
Mr. Cerdric Fernandez
Mr. Apallak Basu

... For the Petitioners.

Mr. Raja Saha
Mr. Biswabrata Basu

... For the State.

Mr. Ayan Banerjee
Ms. D. Dhamali

... For the Respondent Nos.5 to 12.

Mr. Ayan Banerjee, learned counsel appearing for the private respondents submits in all fairness that the employee against whom departmental proceedings have been initiated is in fact participating thereat. His clients did not wish to gherao or obstruct any functioning of the petitioners.

Since the employee concerned is participating in disciplinary proceedings and has remedy before the Labour Court in the event of any grievance against such proceedings, there is no further need for any agitation or assembly by the private respondents/employees or the trade union.

In that view of the matter, the interim order shall stand confirmed.

Nischinda Police Station in addition to the order dated 3rd February 2022 of protection to the writ petitioners at the toll plaza, shall also afford necessary protection to the petitioners while functioning through their administrative building.

Since all parties are represented and the grievance has been addressed, it shall be ensure by the Nischinda Police Station that there shall be no breach of peace in the said area.

This Court notices with regret that the petitioners have not paid the expenses towards the police protection. Such protection shall be withdrawn unless the amounts and costs are paid by the petitioners by 17th February 2022.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)