

28.02.2022
rc/ct.no.10
Item No.186

WPA No. 20644 of 2021
Kanoria Jute & Industries Limited Sangrami Shramik
Union & Ors.
Versus
Union of India & Ors.

(VIA VIDEO CONFERENCE)

Mr. Soumya Majumder
Mr. Sumanta Biswas
Mr. B. Shawfor the petitioners

Mr. Ranajay De
Mr. Jaydeb Ghorai
Mr. Suman Chatterjee
Mr. Basabjit Banerjee....for the respondents no. 6&7

Mr. T.M.Siddiqui
Mr. Niloy Sengupta ...for the State

Heard learned counsels appearing on behalf of the parties.

Learned counsel appearing on behalf of the petitioners seeks direction upon the 4th respondent to consider the representation submitted by the petitioners before the said authority on January 11, 2018. He has also taken the Court to a letter issued by the Deputy Secretary, Government of West Bengal to the Labour Commissioner, West Bengal requesting the latter to take up the said matter and send an action taken report to the department.

Learned counsel appearing on behalf of the respondents no. 6 and 7 places reliance on an order of the Board for Industrial and Financial Reconstruction (in short, “BIFR”) and submits that the present petitioners

have no authority to represent the Kanoria Jute & Industries Limited Sangrami Shramik Union.

Per contra, learned counsel appearing on behalf of the petitioners submits that in view of an order of this Court the earlier orders of the BIFR stand quashed/cancelled.

Learned counsel appearing on behalf of the State concedes to the submission made by the learned counsel appearing on behalf of the petitioners and submits that the 4th respondent be directed to consider the representation at the earliest.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation filed by the petitioners on January 11, 2018 within a period of one month from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected parties including the petitioners and the private respondents, in accordance with law.

It is made clear that this Court has not gone into the merits of this case and all the interested parties/ persons shall be at liberty to place their case with regard to their respective contention(s) before the respondent no. 4 at the time of hearing.

With the above observations and directions this writ petition being WPA No. 20644 of 2021 is disposed of.

There shall be, however, no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)