

08.12.2023.
Court No.13
Item No. 12
ap

I.A. No. CAN 5 of 2023

And

I.A. No. CAN 6 of 2023

And

I.A. No. CAN 7 of 2023

And

I.A. No. CAN 8 of 2023

In

W.P.A. No. 800 of 2023

Usha International Limited

Versus

The State of West Bengal & Ors.

Mr. Ranjay De,
Mr. Basabjit Banerjee.

...For the petitioner.

Mr. Samim Ahammed,
Mr. Aniruddha Singha,
Ms. Gulsanwara Pervin.

...For the Applicant in CAN 5/2023,
CAN 6/2023, CAN 7/2023 & CAN 8/2023.

1. CAN 5 of 2023, CAN 6 of 2023, CAN 7 of 2023 and CAN 8 of 2023 have been filed by four out of 14 workmen, who had approached Industrial Tribunal through their Union/respondent no.3 and had succeeded thereat.

2. The said Award was passed on 21st September, 2020. The Award came to be stayed on 16th February, 2023 by a Co-ordinate Bench of this Court. The applications are filed under Section 17B of the Industrial Disputes Act, 1947.

3. In those circumstances, this Court directs that the writ petitioner/employer shall comply with the provisions of Section 17B of the Industrial Disputes

Act, 1947 and pay arrears of salary from the date of Award till date within a period of one month from date.

4. In addition thereto, the four applicants shall be paid their monthly wages, by the sixth day of every English calendar month. Such last drawn wages and benefits in terms of Section 17B as aforesaid, until disposal of the writ petition.

5. The four applicants in CAN 5 of 2023, CAN 6 of 2023, CAN 7 of 2023 and CAN 8 of 2023 shall furnish their respective Bank Account details and their residential addresses to the writ petitioner. The usual undertakings under the Statute for payment under Section 17B of the Industrial Disputes Act, 1947 shall also follow.

6. With the aforesaid directions, all these connected applications are disposed of.

7. There will be no order as to costs.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)