

12.12.2023
Court No. 13
Item No. 216
AP

WPA 2098 of 2023

**Biswajit Paul and Ors.
Vs.
The Union of India & Ors.**

Mr. Uday Sankar Bhattacharya
Ms. Sudeshna Basu Thakur
Ms. Banani Bhattacharya

... For the Petitioner.

1. Affidavit-in-reply filed in court today is taken on record.

2. The petitioners are aggrieved by the stoppage of conciliation proceedings commenced, inter alia, on 14th July, 2021 between themselves and labour contractor M/s. Bengal Protective Guard on the one part and the Food Corporation of India on the other part. While the conciliation proceedings were on, the Food Corporation of India terminated the contract for supply of security guards dated 4th April, 2012.

3. While the petitioners submit that they have continued to work for 15 years on behalf of the party of the contract as well, the respondents contended that since after termination of the contract, there is no employer employee relationship between the Food Corporation of India and the petitioners.

4. This issue is also directed to be considered in the conciliation proceedings. The conciliation proceedings shall, therefore, include the status of the petitioners vis a

vis the Food Corporation of India and any other subject matter that was already part of the conciliation proceedings, referred to hereinabove.

5. Counsel for the petitioners referred to a decision of a Coordinate Bench dated 9th November, 2022 in **WPA 9713 of 2022 (Amit Rauth & Ors. Vs. Union of India & Ors.)** in which the same order has been passed.

6. ALC shall also consider the representation dated 2nd January, 2023, in course of dealing with the conciliation proceedings and take steps in accordance with the 1947 Act as expeditiously as possible preferably within a period of three months from the date of communication of a copy of this order.

7. The petitioner shall serve a copy of this order to all the respondents.

8. With the aforesaid directions, the writ petition is disposed of.

9. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)