

72.
8.6.2023
S.D.

W.P.A. 22693 of 2022

**Uttam Ghosh
Vs.
The State Fisheries Development Corporation
Limited & Ors.**

Mr. Bidyut Kumar Halder
Mr. Indranil Halder
Ms. Neha Singh

... For the petitioner

Ms. Santi Das
Mr. R.D. Bhowmick
Mr. Barnamoy Basak

...For the Respondent Nos. 1 & 2

The writ petitioner's case is that he has been rendering service as a daily rated worker with the State Fisheries Development Corporation Limited (SFDCL).

Mr. Halder, learned counsel appearing on behalf of the petitioner submits that the wages of the petitioner have been stopped since April 2022. The petitioner has been transferred by an administrative order dated September 6, 2022 from Jamunadighi Fisheries Project to Shankarpur Fisheries Project. However, the petitioner did not join the transferred place of posting.

Ms. Das, learned counsel appearing on behalf of the SFDCL submits that the said Corporation is under severe financial difficulties. The petitioner has been paid upto June 2022.

Considering the rival submissions of the parties and the materials placed on record, this Court is of the view that upon verification of the documents with regard to the question whether the petitioner's wages have been stopped from April 2022 or June 2022, the admissible dues of the petitioner till September 6, 2022 shall be released by the SFDCL within three months from the date of the order. Whether or not SFDCL/employer is under any financial constraints cannot be a reason for non-payment of the wages that an employee is legitimately entitled to.

With the directions aforesaid, **W.P.A 22693 of 2022** is **disposed of**.

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

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all the formalities.

(Lapita Banerji, J.)

