

19-09-2023
Court No.3
Sh/20

**In The High Court At Calcutta
Jalpaiguri Circuit Bench**

WPA 2734 of 2022

Sri Subrata Poddar

Vs.

The State of West Bengal & Ors.

Mr. Subhasish Misra,
Mr. Debtorshi Dhar.
For the Petitioner.

1. The petitioner in the present writ petition is challenging the proceedings initiated by the Assistant Labour Commissioner of Cooch Behar Cum Controlling Authority Sadar & ALC. The said authority initiated proceedings under the Payment of Gratuity Act based on the letter dated 23-02-2022 written by respondent no.5. As per respondent no.5, he was an employee of the petitioner and had superannuated in June 2021.
2. It is the allegation of the petitioner that the respondent initiated the present proceeding with the sole intention to harass the petitioner since he had favoured the respondent no.5.
3. This Court has heard the argument and has perused the documents on record. However, nothing is placed on record to allege that the respondent authority is conducting the impugned proceedings in an arbitrary manner.
4. In view of the same this Court is not inclined to interfere with the impugned proceedings.
5. The petitioner is directed to cooperate with the authorities in conducting the proceeding in accordance with law.

6. Needless to say that if the petitioner is aggrieved by the final order passed by the respondent authority he will be at liberty to challenge the same in accordance with law.
7. With this direction the present writ petition is disposed of.
8. Urgent Photostat certified copy of this order, if applied for, be supplied to the learned advocates appearing for the parties expeditiously subject to compliance of all requisite formalities.

(GAURANG KANTH,J.)