

09-01-2024
ct no. 13
Sl. 60
sp

WPA 79 of 2024
Gloster Limited
-Versus-

The State of West Bengal & Ors.

Mr. S.K. Singh,
Mr. Rananeesh Guha Thakurata
...for the petitioners

Mr. Amitesh Banerjee,
Ms. Ipsita Banerjee
...for the State

Mr. Balai Chandra Paul
....for the respondent no. 3

1. Supplementary affidavit and affidavit of service filed in Court today are taken on record.
2. The subject matter of the instant writ petition is the refusal of Industrial Tribunal in order dated 04.12.2023 to accomodate counsel for the management. The matter was fixed for cross-examination of the workmen. It appears that accommodation was granted to the management in this regard on October 31, 2023.
3. The matter was fixed on December 4, 2023 when the learned counsel for the management was attending to another case before the CGIT.
4. The prayer for a second accommodation to the management was declined. The evidence

of the workmen/witness was closed without cross-examination.

5. This Court is of the view that the Tribunal below otherwise has not committed any error in the procedure followed. However, for the ends of justice, this Court permits the management to cross-examine the workmen/witness who shall present himself in the Tribunal on January 18, 2024.
6. The aforesaid accommodation and order is passed upon the payment of costs assessed at Rs. 5,100/- payable to the workman by the management.
7. It is made clear that in default of appearance on the part of the management, the evidence of the workmen/witness shall stand concluded and the matter shall be taken up further by the Tribunal.
8. It is ordered that the hearing of the application for interim relief, be concluded within a period of one month after January 18, 2024.
9. With the aforesaid directions, the writ petition shall stand disposed of.
10. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)