

21.11.2024
Court No.13
Item No.59
AP

FMA 758 of 2024

**Sharp Ferro Alloys Ltd.
Vs.
The State of West Bengal & Ors.**

Mr. Subrata Bhattacharjya
Ms. Shipra Santra

...For the Appellant.

1. The instant appeal is directed against an order dated 2nd January, 2024 passed by a Single Bench of this Court in the case of Sharp Ferror Alloys Ltd. Vs. The State of West Bengal & Ors.

2. By the said order, an application under Section 17B of the Industrial Disputes Act, 1947 was allowed by the petitioner at the interim stage of the writ petition, by directing the appellant to pay the workman Rs.9,000/- per month from the date of the award till he attends the age of superannuation or till disposal of the writ petition whichever is earlier.

3. The writ petition was filed challenging an award dated 30th December, 2015 passed by the 9th Industrial Tribunal at Durgapur in Case No. X-5/12 under Section 10(1)(b)(d) of the Industrial Disputes Act, 1947.

4. Orders under section 17B follow as a matter of course once an award is challenged by the employer.

5. Learned counsel for the appellants submits that the order may have already been complied with by the

appellant and the amounts have been paid to the respondent/workman.

6. In the event amounts have not been paid, the respondent/workman may take steps in accordance with law. It is stated by the learned counsel for the appellant that the parties may have compromised the lis.

7. In such event, the parties are at liberty to file terms of compromise before the Single Bench.

8. No interference is, therefore, called for with the impugned order.

9. With the aforesaid observations, the appeal is dismissed.

10. Interim orders, if any, shall stand vacated.

11. There shall be no order as to costs.

12. All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)