

D/L.14.
August 7, 2024.
MNS.

WPA No. 14562 of 2024

M. Bhattacharyya & Co. Pvt. Ltd.
Vs.
The State of West Bengal and Others

Mr. Rananeesh Guha Thakurta

... for the petitioner.

Mr. Suman Sengupta,
Mr. Dwaipayan Basu Mallick

...for the State.

Mr. Nayan Rakshit

...for the respondent No. 3.

Mr. Alok Kumar Ghosh,
Ms. Era Ghose

...for the Kolkata Municipal Corporation.

The grievance of the petitioner is directed against an order dated September 27, 2023 read with order dated March 1, 2024.

Briefly, the private respondent no. 3 initiated Case No. Comp-02/2019 for back wages. Upon enquiry of the current source of employment of the private respondent, the private respondent had furnished evasive answers. Thereafter, by an order dated 24 August 2023 the proforma respondent was directed to submit a Report. However, the same has not yet been submitted.

Pursuant to an order of Court, Mr. Ghosh is present and submits that the Kolkata Municipal Corporation ("KMC") would be taking appropriate

steps to appear before the First Labour Court in Comp Case No. 02/2019. It is also submitted on behalf of the KMC that the private respondent no. 3 is a casual employee and not a permanent employee of the KMC. This fact also appears from the information supplied by the State Public Information Officer of the KMC, Health Department.

In view of the submissions made on behalf of the parties, The Kokata Municipal Corporation is directed to appear before the First Labour Court in Comp Case No. 2 of 2019 and make necessary submissions and apprise the Learned Court of the true and correct facts of the case on the next date of hearing. It is a matter of concern that the matter has been pending since 2019 and dilatory tactics have been adopted to procrastinate the proceeding.

The First Labour Court hearing Comp Case No. 02/2019 is directed to conclude the proceeding positively within three months from the date of communication of this order and without granting any unnecessary adjournments to any of the parties.

With the above directions, WPA No. 14562 of 2024 stands disposed of. The order dated 27 September 2023 is modified to the above extent.

(Ravi Krishan Kapur, J.)