

D/L.13.
August 20, 2024.
MNS.

WPA No. 18546 of 2024

Bata India Limited
Vs.
The State of West Bengal and Others

Mr. Ranjay De,
Mr. Basabjit Banerjee,
Mr. Adityajit Abel Bose

... for the petitioner.

Mr. Soumitra Bandyopadhyay,
Mr. Priyabrata Batabyal

...for the State.

The grievance of the petitioner is directed against an order dated June 6, 2024 passed in a proceeding initiated under the Industrial Disputes Act, 1947 in Case No. VIII-48 of 2010.

By the impugned order, the Tribunal has not only imposed costs of Rs.1,00,000/- primarily on the ground that the petitioner had used the word “**erroneously**” against the Court but also directed initiation of a criminal proceeding against the deponent in default of paying the aforesaid amount of costs.

Despite service, the State remains unrepresented. In view of the absence of the State, Mr. Soumitra Bandyopadhyay, Advocate, who usually represents the State is requested to appear on behalf of the State along with Mr. Priyabrata Batabyal, Advocate. The services of

Mr. Bandyopadhyay and Mr. Batabyal be regularized by the Legal Remembrancer.

It is fairly submitted on behalf of both the parties that the impugned order is unsustainable and is liable to be set aside.

It is also submitted by Mr. Ranjay De, Advocate appearing for the petitioner that the exorbitant amount of costs be reduced to a reasonable sum of Rs. 10,000/- payable to the Bharat Sevashram Sangha.

In view of the above, the petitioner is directed to pay costs of Rs. 10,000/- to the Bharat Sevashram Sangha within a week from date. Such evidence of payment should be filed before the 2nd Industrial Tribunal, Kolkata at the time of hearing of the said proceeding.

In passing the impugned order, the Industrial Tribunal has justifiably expressed anguish over the fact that the matter has been pending since 2010.

However, it is submitted on behalf of the parties that they are fully co-operating with the 2nd Industrial Tribunal and no unnecessary adjournment would be sought for by them.

In view of the above, the impugned order dated June 6, 2024 is set aside. The 2nd Industrial Tribunal is requested to dispose of Case No. VIII-48 of 2010 preferably by September 30, 2024.

It is made clear that there has been no observation on merits of the case. It is also made clear that no unnecessary adjournment should be sought for from either of the parties.

With the above directions, WPA No. 18546 of 2024 stands disposed of.

(Ravi Krishan Kapur, J.)