

25.04.2024
Sl. No.5
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 21648 of 2023

Gour Chandra Adak
Vs.
The State of West Bengal & Ors.

Mr. Bikash Shaw

....for the petitioner.

Mr. Biswabrata Basu Mallick,

Ms. Rama Halder,

Ms. Kalpita Paul

....for the State.

Ms. Anamika Pandey

....for the respondent no.5.

Affidavit of compliance affirmed on behalf of the respondent no.5 on 23rd April, 2024 and filed in Court today is taken on record.

It appears from such affidavit that the money as directed to be paid to the writ petitioner along with six other workmen/employees of the respondent no.5 have been duly paid. The said six workmen/employees are, however, not parties to this writ petition.

Learned advocate for the petitioner accepts and admits that his client, the writ petitioner has received the entire amount due and payable to him by the employer (respondent no.5).

So far as the other six workmen/employees are concerned, nothing is recorded herein even though in the affidavit certain payments are stated to have been made to the said six workmen/employees since they

are neither parties to the proceedings nor have been added as parties by the Appellate Court pursuant to the order of which the payments have been made.

Since the petitioner has been paid in full, the respondent no.5 will be at liberty to apply for withdrawal of any amount deposited for preferring an appeal against the order of the competent authority in favour of the petitioner directing payment. The authority, before whom the money is said to be deposited, on being approached will look into the matter and decide the issue of refund.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly.

It is submitted by Mr. Biswabrata Basu Mallick, learned advocate representing the State that his appointment should be regularised as he had been representing the State after passing of the order dated 20th February, 2024 with Ms. Rama Halder and Ms. Kalpita Paul.

The office of the learned Government Pleader is expected to take necessary steps at the earliest to regularise the appointment of Mr. Basu Mallick.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Arindam Mukherjee, J.)

