

09.05.2024
Sl. No.7
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 25148 of 2023

Bayer Zydus Pharma Private Limited alias
M/s. Bayer Zydus Pharma Private Limited
Vs.
The State of West Bengal & Ors.

Mr. Puspall Chakraborty,
Mr. Barnik Ghosh

....for the petitioner.

Ms. Indumouli Banerjee,
Mr. Anand Farmania

.....for the State.

Mr. Aninda Lahiri,
Ms. Manasi Malakar

....for the respondent no.3.

The report as directed by the order dated 2nd May, 2024 filed by the Judge, 8th Industrial Tribunal & Judge-in-Charge of the First Industrial Tribunal, Kolkata with the assistance of the inputs provided by the Directorate of Industrial Tribunals, Kolkata is taken on record.

On a perusal of the said report dated 6th May, 2024, it is apparent that the award comprises of 4 pages and is not of 1 page, being that annexed at page 149 of the writ petition.

The report also reveals that the writ petitioner applied for certified copy of the order but not the certified copy of the award, although it is contended by the petitioner that the application for all orders

include the award, but I am not impressed with such submission.

The fact remains that the main basis of the writ petition is the one page award being devoid of reasons.

Since the Tribunal has discussed the matters and has given reasons as it felt deem and proper to come to the conclusion being the awarding portion this negates most of the grounds in the writ petition on which the award has been assailed. No supplementary affidavit as prayed for by the petitioner can cure the defect in the writ petition.

Without going into the acts and omission on the part of the petitioner to be bona fide or mala fide, the writ petition is dismissed as withdrawn with liberty to file afresh challenging the award dated 22nd December, 2022 passed by the learned First Industrial Tribunal, Kolkata by 24th May, 2024.

(Arindam Mukherjee, J.)