

03.03.2025
Sl. No. 24
AMR
Ct.No.-30

WPA No. 3180 of 2025
M/s. Orient Electric Limited
Vs.
The State of West Bengal & Anr.

Mr. Susanta Paul
Mr. Abhishek Shaw
Mr. Pradipta Basu

...for the petitioner.

Mr. Bikash Ranjan Bhattacharyya, Sr. Adv.
Mr. Balai Paul
Ms. S. Dey

...for the respondent No. 2

Mr. Somnath Ganguli
Ms. Kalpita Paul

...for the State

The present writ application has been preferred against an order 9th December, 2024 passed by the learned Seventh Industrial Tribunal in case No. 1/2A(2) of 2014.

It is the contention of the petitioner that the workman/respondent no. 2 in this case was dismissed from service after being held guilty in a disciplinary proceeding wherein the worker was charged for misappropriation and theft.

The dispute raised before the Tribunal involves to the show-cause notice, the charge sheet filed, the enquiry proceedings and all other related matters in

respect of the said disciplinary proceedings which led to the dismissal of the respondent/workman.

The Tribunal considering the materials on record and the fact that admittedly the worker was employed with the petitioner company duly applied the provisions under Section 15(2)(b) of the Industrial Disputes Act to grant interim relief to the workman.

It is further the case of the petitioner that the relief should not have been granted to the workman, as he admittedly runs a tea stall and though the point of running a tea stall was raised before the Tribunal, the Court considering the financial status of the workman granted interim relief.

The petitioner could not satisfy this Court as to the income of the workman by running a tea stall. Considering the said facts and the order challenged herein, this Court finds that the order under challenge has been passed in accordance with law and keeping in mind, the beneficial legislation involved in the present case, this Court finds no reason to interfere in the said order under challenge.

The writ application is, thus, disposed of with the direction that the order of interim relief is hereby affirmed and the Tribunal is directed to make all endeavour to dispose of the proceedings expeditiously.

There will be no order as to costs.

Urgent Photostat certified copy of this order be given to all the parties upon usual undertakings.

[Shampa Dutt (Paul), J.]