

28.03.2025
Ct. No. 30
S.L. No. 9
SM

WPA 5665 of 2025
Sri Haradhan Golui
Versus
The State of West Bengal & Ors.

Mr. Sk. Saad Nafisul Islam
.....for the petitioner

Mr. Nara Narayan Ganguly
Mr. Milan Kumar Maity
.....for the State

The present writ application has been preferred praying for direction upon the respondent no. 2 to dispose of the Gratuity Case No. 30 of 2023 expeditiously. It appears that the petitioner submitted Form-‘T’ on 12.11.2022 and Form-‘N’ on 13.12.2022.

Till date the Controlling Authority has taken no action. More than two years have passed.

This is the third year running since the said applications have been filed.

Learned counsel for the State has placed a report wherein it has been submitted by the Additional Labour Commissioner (P, Howrah) that the Controlling Authority has taken up the case for hearing by serving a notice in Form-‘O’ on **11.03.2025.**

It appears that after the matter has been listed, the Controlling Authority has decided to take

action after more than 3 years. Such conduct of the Controlling Authority is not to be encouraged.

It is further submitted in the report that the next date has been fixed on 06.05.2025 for submission of written statement. It appears that in spite of such an old case, the Controlling Authority has fixed a period of 2 months for filing of written statement. If such conduct of the authority concerned is repeated, the Court shall have no other option but to direct the personal appearance of the said officer.

Considering the said facts this Court has no other option but to direct that the written statement in the case before the Controlling Authority be filed by the 11th April, 2025 and the Controlling Authority is directed to dispose of the case positively by the 30th April, 2025. On hearing the parties in accordance with law on the basis of materials on record by passing a reasoned order.

WPA 5665 of 2025 stands disposed of.

Parties to act on the basis of server copy of this order duly downloaded from the official website of this Hon'ble High Court.

Let a copy of the order be sent to the Labour Commissioner and the Labour Secretary Government of West Bengal with a direction to

ensure that such conduct of the concerned authority is not repeated and thus not encouraged.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties expeditiously after complying with all requisite formalities.

[Shampa Dutt (Paul). J]