

19.06.2025
Item No. 06
Ct. No. 30
AN

WPA 11735 of 2025
HT Media Limited
vs.
State of West Bengal & anr.

Mr. Soumya Majumder, Id. Sr. Adv.
Mr. Kinnor Ghosh
Ms. Sanjukta Dutta
... for the petitioner

Mr. Arjun Roy Mukherjee
Mr. Soumik Dey
... for the State

Mr. Maink Bose, Id. Sr. Adv.
Mr. Rahul Kumar Singh
... for respondent no. 2

The writ application has been preferred challenging the award dated 04.12.2024 passed in Case No. 12 of 2018 by the learned First Labour Court, West Bengal and published by the Government of West Bengal on 08.01.2025.

Vide the order under challenge the learned Labour Court has passed an award directing payment of due wages to the petitioner/respondent.

The petitioner company has preferred the writ petition on various grounds, two out of them being that the Tribunal has wrongly come to the conclusion that the claimant was a “working journalist”. Secondly, that the learned Labour Court granted the dues to the claimant without any calculation or explanation.

It appears from the said award that the learned Labour Court in the award has directed certain amount to be paid for certain period but nowhere has it been stated the mode of calculation for arriving at such an amount. Though a schedule has been prepared, there is no explanation as to how the schedule has been prepared and as to how the said amount for the said period has been calculated by the Court.

As such, a clarification is necessary for adjudication of the award which has been challenged before this Court.

Learned counsel appearing for the respondent admitted that the part granting relief (dues) is without any basis or calculation and suffers from inherent effect.

Accordingly, the writ application is **disposed of** with the matter being remanded to the learned Labour Court, who shall write a fresh order/award in respect of the relief granted within 30 days from the date of communication of this order, by showing the calculations and the details as to how the due wages has been arrived at by the Labour Court at pages 13 and 14 of the award.

This Court makes it clear that it has not gone into the merits of the case and all points are kept open for the parties to agitate at the appropriate stage.

It appears that an execution proceeding is pending in respect of the order under challenge.

Accordingly, the execution of the said award be stayed till disposal of the case no. 12 of 2018 by the Labour Court in view of the directions of this Court.

There will be no order as to costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Shampa Dutt (Paul), J.)