

17.06.2025
Item No.03
BR

WPA 12014 of 2025
M/s.Orion Security Solutions Pvt. Ltd.
-vs-
Union of India and others

Mr. D.N.Roy, Sr. Adv.,
Ms. Sayani Roy Chowdhury,
Ms. B. Mondal
... for the petitioner

Mr. Kinnor Ghosh
... for the respondent no. 6

The writ application has been preferred praying for direction upon the respondents to withdraw the order dated 28.02.2025 along with the corrigendum dated 03.03.2025 and the certificate dated 01.05.2025 all passed by the respondent no. 4 Controlling Authority.

It appears from the materials on record that the Assistant Labour Commissioner (Central) and the Controlling Authority under the Payment of Gratuity Act, 1972 has passed its order on 1.5.2025 and a certificate has been issued by the Controlling Authority for payment of the said amount giving notice for payment of gratuity to the petitioner herein on 28.02.2025. Admittedly, the petitioner has not preferred an appeal against the order

of the Controlling Authority dated 1.5.2025 and without preferring an appeal has filed this present writ petition against the said order of the Controlling Authority against which a certificate has already been issued. As such, it appears that the petitioner has not availed of the provision under Section 7(7) of the Payment of Gratuity Act.

The petitioner submits that he may be granted leave to prefer an appeal by condonation of delay.

Accordingly, writ application is disposed of with the liberty granted to the petitioner to prefer an appeal within 30 days from the date of this order. The period of limitation is accordingly extended for 30 days. Petitioner is granted liberty to file the said appeal on due compliance of Section 7(7) of the Payment of Gratuity Act.

WPA 12014 of 2025 stands disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the learned counsel for the parties on usual undertakings.

(Shampa Dutt (Paul), J.)