

11.08.2025  
Item No. 20  
Ct. No. 30  
AN

**WPA 12842 of 2025**

**M/s. Delta Limited**  
**vs.**  
**State of West Bengal & ors.**

Ms. Amrita Pandey  
Ms. Sneha Singh  
... for the petitioner

Mr. Bipin Ghosh  
... for respondent no. 2 & 3

The writ application has been preferred praying for direction restraining the respondents from initiating or continuing any coercive action against the petitioner company, including but not limited to freezing of bank accounts, attachment of assets, or issuance of arrest warrants, till the mill is revived and its financial condition stabilizes and further directing the respondent authorities to allow payment of the principal adjudicated amounts on account of the gratuity **dues in instalments** until the financial condition of the company improves and/or the mill reopens.

Written note has been filed by the petitioner wherein it is stated that the petitioner is undergoing severe financial distress and is ready to pay the **admitted dues of gratuity in instalments.**

It is the contention of the petitioner that the Payment of Gratuity Act, 1972 under Section 7(4) of

the Act grants discretionary power to the authorities to permit the payment of gratuity in instalments but the respondent authorities have denied the same arbitrarily.

On hearing learned counsel for the parties and considering the materials on record and the relevant provisions of the Act, the reliefs prayed for by the petitioner being beyond the provisions of the Act as provided in the Statute, the writ petition stands **dismissed** having no merit. The concerned respondent authorities to proceed in accordance with law.

There will be no order as to costs.

Consequently, connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

Urgent photostat certified 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.)**