

17.07.2025
Ct. No. 30
S.L. No. 1
SM

WPA 15601 of 2025
Sri. Madhab Poddar
Versus
The State of West Bengal & Ors.

Mr. Chittapriya Ghosh

.....for the petitioner

Affidavit-of-service filed be kept with the record.

The writ application has been preferred challenging an award dated 21.08.2024 passed by the learned 2nd Industrial Tribunal, Kolkata in Case No. VIII-20/2024 under Section 10 (2A) of the Industrial Disputes Act, 1947 and published under order being No. Labr/901/(LC-IR)/22015(16)57/2004 dated 04.09.2024 issued by the respondent no. 2.

It is the case of the learned legal aid counsel for the petitioner that the petitioner being an illiterate person and having no counsel representing him before the Tribunal did not adduce any evidence before the Tribunal and an order has been passed against the petitioner. It is further submitted that the tribunal did not inform them of legal aid.

Learned counsel for the petitioner submits that for the ends of justice the petitioner may be

permitted to adduce evidence in this case otherwise he will suffer irreparable loss and injury.

It is further submitted that the submission before the Tribunal was made out of ignorance and having no legal assistance.

In spite of being served none appear for the respondents.

Accordingly, the writ application is disposed of with the direction that the order under challenge dated 08.11.2024 passed by the learned 2nd Industrial Tribunal, Kolkata in Case No. VIII-20/2024 be set aside. **The case is restored to its file and number.**

The learned Judge 2nd Industrial Tribunal, Kolkata shall hear the matter afresh by permitting the petitioner to adduce the evidence and the parties and proceed accordingly to dispose of the matter afresh, further evidence if any expeditiously.

It is clarified that in case there is delay on the part of the petitioner to adduce evidence, without any valid reason, the Tribunal shall proceed in accordance with law to dispose of the case without granting any further opportunity to the petitioner.

Writ application stands disposed of.

Applications, if any, connected thereto stand disposed of consequently.

Interim order, if any, stands vacated.

Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]