

24.07.2025
Ct. No. 30
S.L. No. 12
SM

WPA 15866 of 2025
H.T. Media Limited
Versus
State of West Bengal & Anr.

Mr. Victor Chatterjee
Mr. Snehashis Sen
.....for the petitioner

Mr. R. Guha Thakurta
Ms. S. Sengupta
.....for the respondent no. 3

Mr. Amal Sen, Id. AGP
Mr. Subhendu Sengupta
.....for the State

Supplementary affidavit as per leave granted is
filed.

Copy served.

Let the same be kept with the record.

The writ application has been preferred
challenging the award dated 04.12.2024 passed by the
learned First Labour Court, Kolkata in Case no.
13/2018 under Section 17(2) of the said Act.

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.

In case the present Presiding Officer is transferred, his successor shall act as per this order and come to its own independent findings by giving specific detailed calculation, if it is found that the respondent is entitled to the dues as claimed.

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. 14 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]