

07.08.2025
Item No. 03
Ct. No. 30
AN

WPA 17033 of 2025

**The Assembly of God Church
Vs
State of West Bengal & Ors.**

Mr. Jayanta Dasgupta
Mr. Balaram Patra

... for the petitioner

Mr. Santanu Kr. Mitra

... for the State

Mr. Sourav Chatterjee

... for respondent no. 3

1. The writ application has been preferred challenging the order dated 09.01.2025 passed by the learned 7th Industrial Tribunal, Calcutta in Case no. VIII-14/2019.

2. It is submitted that the order under challenge is not in accordance with law as the Tribunal has permitted the respondent union to produce the documents in support of their case as noted in the order at a belated stage.

3. It appears that the Tribunal permitted the photocopies of such documents to be relied upon which is to be proved in accordance with law as the same are photocopies.

4. The Tribunal passed an order on as application filed by the respondent workmen dated

30.06.2023, wherein at paragraph 4 are the details of the documents to be relied upon.

5. The Tribunal is hearing a reference by the Government of West Bengal on the following issues:

“1) Whether existing disparity in salary structure between School and Church workers, engaged under the common management, is justified?”

2) What relief, the workmen thus affected are entitled to?”

6. Accordingly, considering the materials on record and the issues under reference, this Court finds that Clause a, b, c and d of paragraph 4 of the respondents' application are prima facie not relevant for proving the said reference. Clause e, f and g of paragraph 4 to the said application are the documents prima facie relevant for adjudication of the issues under reference.

7. Accordingly, the order under challenge dated 09.01.2025 is modified to the extent that the respondent union is at liberty to prove the documents at Clause E, F and G of paragraph 4 to the said application in accordance with law. The prayer for relying upon the documents at Clause a, b, c and d of paragraph 4 of the respondents' application, thus, stands rejected.

8. WPA 17033 of 2025 stands **disposed of**.

9. There will be no order as to costs.

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

11. Interim order, if any, stands vacated.

12. 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.)