

17.09.2025
Item No.19
BR

WPA 19567 of 2019
With
IA No. CAN 3 of 2025
Stoplift Infotech India Ltd.
-vs-
Subhasis Mahindra and another

Mr. Soumya Majumder, Sr. Adv.,
 Ms. Pubali Saha Chowdhury

... for the petitioner

Mr. Balaram Patra,
 Mr. Suvadip Bhattacharjee

... for the respondent no. 1
 Mr. M. Chandra Ghosh

... for the State

1. Learned counsel for the State has placed the report submitted by the Assistant Labour Commissioner, E.L. and MW Section, Kolkata as directed. The report placed shows that complaint Case being C-642/2023 pending before the learned Chief Judicial Magistrate, Howrah has been withdrawn on 15.9.2025.
2. The copy of the order of the learned Chief Judicial

Magistrate, Howrah in the said case is as follows :

“ Order dated 15.09.2025

The record is put up today on behalf of the petitioner followed by a petition for withdrawal of the instant case on the ground stated therein.

The authorized representative of petitioner is present with his Ld. Lawyer.

The authorized representative petitioner is examined on dock and has stated that in terms of Hon'ble Court's direction passed in W.P.A. No. 19567 of 2019 the petitioner want to withdraw the instant case with liberty to file afresh.

This being the situation, when the authorized representative of the petitioner himself appearing before this Court deposed that the petitioner is willing to withdraw the instant case, the Court should not act as impediment.

Hence, it is

Ordered

that the is permitted to withdraw the instant case.

*The instant case is accordingly
disposed of on withdrawal.*

Note in the register.

Dictated & Corrected to me

Sd/- Sd/-

CJM Howrah CJM, Howrah

(J.O.Code-WB01022)”

3. Learned senior counsel appearing for the petitioner submits that it was wrong on the part of the complainant who was examined on dock to state before the learned Magistrate that the petitioner wanted to withdraw the instant case with liberty to file afresh.

4. Considering that the withdrawal of the case is made on the prayer of the aggrieved party and on the basis of an amicable settlement, it appears that the learned Chief Judicial Magistrate, Howrah was wise enough to permit the withdrawal of the case but no liberty was granted to sue afresh.

5. Considering that the parties have amicably settled the matter and the dues are being paid to the private respondent as per terms and conditions in the memorandum of settlement and the prayer of the

private respondent being that he does not want any liberty to sue afresh, this Court observes that the complaint case C-642/2023 has been withdrawn as a whole on the basis of terms and conditions of the amicable settlement.

6. On hearing the parties, the writ application along with CAN 3 of 2025 is disposed of, on the matter being settled on the basis of the settlement and release agreement dated 9th June, 2025.

7. WPA 19567 of 2019 stands disposed of.

8. Parties to act on the server copy of this order.

(Shampa Dutt (Paul), J.)