

WPA 25035 of 2025

M/s. Anglo India Jute & Textiles Industries Pvt. Ltd. & Anr.
vs
The State of West Bengal & Ors.

Mr. Balai Chandra Paul
Mr. S. M. Obaidullah
Ms. Tithi Roy ... for the petitioners

Mr. Sushovan Sengupta
Mr. Susanta Pal ... for the State respondent

Mr. Uddipan Banerjee
Mr. S. Samanta ... for respondent no. 3.

1. Affidavit of service filed on behalf of the petitioners is taken on record.
2. Heard the learned advocates for the respective parties.
3. The grievance of the petitioners is with regard to the order passed by the controlling authority under the payment of the Gratuity Act, 1972 rejecting inter alia, the application on the ground of maintainability vide order dated 06.11.2024. It is also further submitted by the petitioners that respondent no. 3 himself has admitted that he has received the entire gratuity amount and shall not claim any interest on delayed payment of gratuity being Annexure – 'P' at page 16 of the writ petition.
4. Petitioners submit that the authority concerned has passed the order of rejection on the point of maintainability arbitrarily and without proper application of mind which is liable to be quashed and / or set aside.
5. Learned counsel appearing on behalf of the State submits that the instant writ petition is not maintainable as the same arises out of an order passed against an interlocutory order

dated 25.8.2025 wherein the delay to file 'Form – N' has been condoned and the matter shall be decided on merits. After hearing the parties the same was fixed on 23.9.2025 for submission of written statement by the petitioner being the company before the controlling authority.

6. Petitioners submit that time to file the written statement has been extended and the matter has been fixed for hearing.
7. Learned counsel appearing for the workers / respondent no. 3 prays dismissal of the writ petition since the matter has already been fixed for hearing and time has been extended for filing written statement. It is further submitted that admission alleged has been made under duress and coercion by the petitioner company.
8. After hearing the rival contentions of the parties and upon perusal of the record, I am of the considered view that the order under challenge does not suffer from any legal infirmity. It appears from the records that already there has been a direction for extension of time to file written statement by the petitioners before the controlling authority and the same is pending for disposal on merits.
9. Since the instant writ petition is premature and has not attained its finality accordingly, the writ petition is dismissed without any order as to costs.

(SMITA DAS DE, J.)