

26.02.2025
Ct. No. 30
S.L No.13
SM

WPA 21902 of 2011
Nikhil Chandra Barai
Versus
State of West Bengal & Ors.

Mr. Debasish Chattopadhyay
Mr. Tirthankar Basu
.....for the petitioner

The present writ application has been preferred praying for setting aside of the impugned order dated 24.06.2011 issued by the Labour Commissioner, Government of West Bengal and direction upon the respondents No. 1, 2 and 3 to take immediate step or steps to disburse the financial assistance in terms of the Labour Department Resolution No. 506-IR dt. 14-05-1998 as amended upto date with effect from 01-04-1998 with upto date interest in favour of the petitioner and also dispose of all the representations submitted by the petitioner.

It appears from the materials on record that the company M/S Somani Ferro Alloys Ltd. (In Liquidation) has gone into liquidation and the said proceeding is pending before the High Court in its original jurisdiction as CA No. 666/2012/ CP No. 558 of 2000.

The official liquidator, High Court, Calcutta has issued a notice dated 10th December, 2015 to the

secured creditors and the **employees of the company**, the petitioner being one of them.

Vide an order dated 24.06.2011 the Labour Commissioner, Govt. of West Bengal had conducted a hearing on this issue as per direction of the High Court dated 30.04.2011, passed in writ petition no. 299(W) of 2011 and the prayer of the petitioner has been dismissed.

The petitioner has preferred the present writ application on the self-same prayer.

Considering the fact that the total matter in respect of the said company, which has gone into the liquidation is before the official liquidator, the writ application is disposed of with liberty granted to the petitioner herein to appear before the official liquidator and pray for the relief as prayed for in the present writ application and the official liquidator shall consider the same in accordance with law.

Accordingly, the writ petition stands disposed of.

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

Interim order, if any, stands vacated.

Let a copy of this order be sent to the Trial Court at once.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties expeditiously after complying with all requisite formalities.

[Shampa Dutt (Paul). J]