

05.08.2025
Item No. 01
Ct. No. 30
AN

WPA 26803 of 2023

Santanu Giri
Vs
State of West Bengal & Ors.

Mr. Moyukh Mukherjee
Ms. Sagarika Banerjee
... for the petitioner

Mr. Jyoti Prakash Chatterjee
Mr. Avijit Mukherjee
... for the State

Mr. Victor Chatterjee
... for respondent no. 6

The present writ application has been preferred for release of salary withheld by respondent no. 9 from the date of transfer i.e. 03.08.2023 and to set aside the transfer order dated 03.08.2023.

It appears from the materials on record that the petitioner was appointed by a letter dated 11.11.2021 as an Electrician by respondent no. 9 wherein it had been noted that his employment would be governed by all the rules and regulations of the Company as applicable.

It appears that the petitioner was transferred vide order dated 03.08.2023 from Haldia to Amravati. The petitioner did not join his place of transfer since then and has now prayed for salary

from the date of transfer and has also prayed for setting aside of the transfer.

On hearing learned counsel appearing for the respondent no. 6, the Indian Oil Company Ltd., it appears that respondent no. 9 is a Contractor and the employment of the petitioner is with the respondent no. 9. The petitioner without approaching the Regional Labour Office (Central), has preferred this writ application.

On hearing the learned counsel for the parties and perusing the materials on record, the writ application is **disposed of** with liberty granted to the petitioner to approach the authorities at the Regional Labour Office (Central) and make a representation with the relief prayed for in the present case. It is clarified that the authority shall come to their independent findings as this Court has not gone into the merits of the case.

There will be no order as to costs.

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

Interim order, if any, stands vacated.

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.)