

16.12.2025
Item no.39
Court No.29
RANJAN

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE**

CRR 5333 of 2025

RAJ BAHADUR SINGH

- VS. -

THE STATE OF WEST BENGAL & ANR.

Mr. Karan Dudhwewala
Mr. Karan Dudhwewala

.....For the Petitioner

This is an application wherein petitioner has prayed for expeditious disposal of the Complaint Case being CS/43578/2017 presently pending before the learned Judicial Magistrate, 16th Court, Calcutta.

The petitioner's contention is that an Award was passed on 26th June, 2014 by the learned Judge, First Industrial Tribunal, wherein opposite party no. 2 was directed to reinstate the petitioner and to pay him all arrear wages and other consequential benefits arising out of continuous employment. Thereafter, by an order dated 28th January, 2016 the application being Computation Case No. 21 of 2015 was disposed of by the learned Judge, 1st Industrial Tribunal, directing the opposite party no. 2 to pay a sum of Rs. 9,99,100/- to the petitioner.

Since the opposite party no. 2 was reluctant to comply with the aforesaid order passed by the Tribunal, the Assistant Labour Commissioner, West Bengal filed a petition of complaint under Section 33C(1) of the Industrial Disputes Act, 1947 for recovery of the said amount, being the instant execution case CS/82313/2021.

After waiting almost four years, the petitioner on 28th June, 2025 had to prefer an application for attachment before the learned Court below stating that the opposite party is going to dispose disposing of his properties in order to avoid payment to his employees. Despite filing such application before the Court below he has not acted anything till date and only a fresh order of attachment has been issued against the opposite party without any effective step to recover the dues.

Being aggrieved by the delay caused in disposal of the said complaint case, the petitioner herein has prayed for expeditious disposal of the said proceeding.

Having heard learned Counsel for the petitioner, it appears that the prayer made by the petitioner in innocuous and if allowed in terms of the prayer made in the application, the opposite party will have no cause to prejudice and therefore service of copy of application upon the opposite party is dispensed with.

Having heard learned Counsel for the petitioner, I find

that the prayer made by the petitioner is justified considering its long pendency and as such, this is a fit case where a direction is required to be passed by this Court invoking this Courts jurisdiction under Section 529 of Bharatiya Nagarik Suraksha Sanhita.

Therefore, the instant application being CRR 5333/2025 is hereby disposed of with a direction upon the Court below to make every endeavor to dispose of the Complaint Case being CS/43578/2017 as expeditiously as possible, following the procedure laid down in the Industrial Disputes Act and the relevant provisions under BNSS and to conclude entire proceeding preferably within a period of sixty days from the date of communication of this order.

(Dr. Ajoy Kumar Mukherjee, J.)