

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

PRESENT:

THE HON'BLE JUSTICE ARINDAM MUKHEREJEE.

WPA 29158 of 2023

SAIL Growth Works
vs.
Ashok Rabidas & Ors.

For the petitioner : Mr. Nirmalendu Ganguly,
Mr. Anshunath Chakraborty
.....Advocates

For Respondent no. 2 & 3 Mr. Ajit Kumar Mishra,
Mr. Abhishek Dey,
Mr. Kushagra Maskara
.....Advocates

Heard on 21.05.2025

Judgment on : 2nd July, 2025.

Arindam Mukherjee, J.:

1. In view of the detailed judgment in WPA 29089 of 2023, the order of the Appellate Authority as also the Controlling Authority are set aside.
2. The matter is remanded back to the Controlling Authority after setting aside its order dated 6th December, 2021 with a direction upon it to add the contractors as party to the application before it and decide the same afresh after permitting the respondent no. 1(employee) the writ petitioner and the contractors to produce

additional documents to find out the terms of appointment of the respondent no. 1 vis-a-vis the agreement between the writ petitioner and the contractors with regard to the payment of gratuity to the respondent no. 1 is concerned.

3. The writ petition being WPA 29158 of 2023 is disposed of accordingly.

Urgent Photostat certified copy of this Order, if applied for, be given to the parties, upon compliance of necessary formalities.

(ARINDAM MUKHERJEE, J.)