

27.02.2025

Sl. No.: 7
Court No.30
BM

WPA 30952 of 2024

**M/s. Ashmi Engineering and Advisory
Services Pvt. Ltd. & Anr.**

Vs.

State of West Bengal & Ors.

Mr. Swarup Paul
Mr. Guru Saday Dutta
Mr. Surya Maity
Mr. Anish Roy

... for the petitioners

Mr. Jagobandhu Ray
Mr. Biman Halder

... for the State

Mr. Manas Dasgupta
Mr. Gourav Das

... for the respondent no.3

1. Affidavit of service filed be kept with the record.
2. The present writ application has been preferred being aggrieved by an order dated 25.11.2024 passed by the Joint Labour Commissioner(P) and the Referee under the West Bengal Shops & Establishment Act, Bidhannagar, North, 24 Parganas.
3. Learned counsel for the petitioners has placed an application submitted by the petitioners dated 06.08.2024 before the authority concerned wherein the issue of limitation had been raised.
4. It is submitted that in spite of the claim of the private respondent being barred by limitation, the authority concerned did not consider the point of limitation in its order dated 25.11.2024 and hence, the present writ application with a prayer that the

authority be directed to consider the point of limitation in preferring the claim.

5. It appears that the authority has proceeded in the matter and the next date has been fixed for filing of written objection by the opposite party/Company, the petitioners herein.
6. Considering the fact that the proceeding has already been initiated and has substantially progressed, this court condones the delay in preferring the said application.
7. The writ application is thus disposed of with a direction that the authority concerned shall proceed expeditiously with the matter in accordance with law.
8. Considering that the writ application was pending hearing, the written objection by the petitioner Company before the authority concerned be filed by 24th March, 2025
9. Parties to appear before the concerned authority on 24th March, 2025.
10. The writ petition stands disposed of.
11. Urgent Xerox certified copies of this order, if applied for, shall be supplied to the learned counsel for the parties as expeditiously as possible, in compliance of usual formalities.

(Shampa Dutt (Paul), J.)