

20.01.2025
Item No.8
Ct. No. 30
Aloke

WPA 32236 of 2008

**Tapan Kumar Pyne
Vs
State of West Bengal & Ors.**

None appears on behalf of either sides on repeated calls.

The present writ petition of the year 2008 has been preferred praying for direction upon the respondents to quash the impugned order dated 19.04.2007.

Vide the order under challenge the Court held as follows :

“I have considered the arguments advanced by the parties. Considered the instant application filed by the applicant and the documents relied by the applicant on record. In instant application the applicant has failed to make out a case constituting an individual Industrial Dispute attracting the provision of Sec. 2A of the Act. That apart, the applicant has chosen a wrong forum against the O.P.-1. The I.D.B.I. in relation to which only Central Government is the competent authority. In my considered view the applicant, in the capacity of contract labour, has got no jurisdiction to file instant application against his principle employer and/or the contractor. For the above reasons, the court’s jurisdiction to try over the matter finds ousted.

Hence

it is,

ordered.

That instant case be and the same is dismissed being not maintainable before this court.

Let copy of this order be sent to the Secretary Labour Department, Government of West Bengal, Writers' Buildings, Kolkata."

. page 68 to 69.

None appears on behalf of either sides.

Considering the said fact, the writ petition is dismissed for default.

WPA 32236 of 2008 is accordingly disposed of.

There will be no order as to costs.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

Let a copy of this order be sent to the learned Judge, 2nd Labour Court, Calcutta and the Labour Commissioner, New Secretariat Building, Kolkata.

(Shampa Dutt (Paul), J.)