

08 **03.02.
2026**

Ct. No. 24

Ab

WPA 839 of 2026

**M/s. Joy Ma Tara Enterprise
Vs.**

The State of West Bengal and others.

Mr. Amal Kumar Banerjee.

... for the petitioners.

**Mr. Tanmoy Kumar Ghosh,
Mr. Avishek Prasad.**

... for the State.

**Mr. Baidurya Ghosal,
Mr. Sourav Mukherjee,
Mr. Saikat Mukherjee.**

... for the respondent nos. 3 to 5.

Ms. Soumi Guha Thakurata.

... for the respondent nos. 6 & 7.

1. The affidavit of service filed in Court today is kept on record.
2. The petitioners are aggrieved that the proceedings under the ESI Act, 1948 (as amended) have been initiated by the authorities against the petitioners.
3. The petitioners submit that even though the petitioners are desirous of making payment, they are unable to do so as their account with the Paschim Benga Gramin Bank has been frozen by an order of the ESI Authorities.
4. Ms. Guha Thakurata, learned Advocate appearing for the respondents 6 and 7, has produced the order of July 29, 2022 wherefrom it appears that garnishee order under Section 45G of the ESI Act, 1948 has already been issued. The copy whereof is

kept on record. Ms. Guha Thakurta has handed a copy of such order to the Advocate of the petitioners in Court today.

5. Thus, the petitioners' prayer for consideration of their representation by the bank or de-freezing the account to enable the petitioners to make payment does not arise at this stage. The petitioners are at liberty to challenge the order of July 29, 2022, if so advised.
6. With the afore-stated directions, the writ petition is disposed of.
7. There shall, however, be no order as to costs.
8. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Reetobroto Kumar Mitra, J.)