

31.03.2026
Item no. 03
Court no. 30
g.b.
266012

WPA 7006 of 2026

Shrabanti Dey
Vs.
The Deputy Chief Labour Commissioner (Central), Kolkata.
& Ors.

Mr. Mukteswar Maity
Ms. Manika Sarkar
..... For the Petitioner
Mr. Pradyat Saha
Ms. Shreyosi Chakraborty
....For the Union of India
Mr. Shiv Mangal Singh
.....For the Respondent Nos. 2 and 3

1. Affidavit of service filed be kept with the record.
2. The writ application has been preferred praying for setting aside of an order dated 04.02.2026 passed by the respondent no. 1 being the Deputy Chief Labour Commissioner (Central), Kolkata.
3. Vide the impugned order, the Authority has held as follows:

“Dated: 04.02.2026

Parties present as per attendance sheet.

The matter is discussed today in details.

Due to divergent views of all the parties, no settlement could be arrived in that matter. Hence the case is ended in failure. A report will be initiated to the Government.”

4. Heard the parties.

5. It appears that the matter is now pending before the Government. It is now upto the Government to decide as to whether a reference is to be made as per Section 12 (5) of the Industrial Disputes Act. Section 12 (5) lays down as follows:

“If, on a consideration of the report referred to in sub-section (4), the appropriate Government is satisfied that there is a case for reference to a Board, [Labour Court, Tribunal or National Tribunal], it may make such reference. Where the appropriate Government does not make such a reference it shall record and communicate to the parties concerned its reasons therefor.”

6. Considering the said provision of law, the appropriate Government in the present case shall take a decision as per Section 12(5) of the Industrial Disputes Act within 60 days from the date of this order.
7. WPA 7006 of 2026 stands **disposed of**.

(Shampa Dutt (Paul), J.)