

05.05.2026
Item No.3
Ct. No. 30
Aloke

WPA 9898 of 2026

**Eastern Coalfields Limited & Anr.
Vs
The Controlling Authority & Ors.**

Mr. Anup Kanti Poddar
Ms. Anjali Shaw
... for the petitioners

1. Affidavit-of-service filed be kept with the record.
2. The writ application has been preferred challenging order dated 04.12.2024 passed by the Controlling Authority under Payment of Gratuity Act, 1972 at Asansol and order/communication dated 31.08.2025 passed by the Deputy Chief Labour Commissioner (C), Asansol, the Appellate Authority under the Payment of Gratuity Act, 1972.
3. Vide the impugned order passed by the Appellate Authority the appeal has been rejected on the ground of limitation.
4. It appears that the Controlling Authority has passed an order directing payment of gratuity in favour of the respondent/workman.
5. It is submitted by the learned counsel for the petitioner that the respondent/workman has

been dismissed from service vide order dated 31.12.2022 after a proper enquiry and disciplinary proceedings and on being found guilty.

6. It appears from the document at page 60 to the writ application that a Reference Case No. 52 of 2023 is pending before the Central Industrial Tribunal-cum-Labour Court, Asansol. The dispute therein has been raised by the respondent/workman herein.
7. It appears from the record that after the order of dismissal, the respondent/workman raised an industrial dispute which on being a (conciliation) failure was made by the appropriate Government.
8. Accordingly, considering the fact that the order of dismissal is under challenge before the Tribunal, the order of the Controlling Authority dated 04.12.2024 and order/communication dated 31.08.2025, passed by the Deputy Chief Labour Commissioner (C), Asansol, the Appellate Authority under the Payment of Gratuity Act, 1972, be stayed till disposal of the reference case before the Tribunal.
9. The writ application stands disposed of.
10. Connected application, if any, stands disposed of.

11. Urgent Photostat certified copy of this order,
if applied for, be supplied to the parties upon
compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)