

14.01.2026
Ct. No. 30
D/L. No. 10
SM

WPA 21923 of 2023
M/s. Delta Limited
Versus
The State of West Bengal & Ors.

Mr. Ghanshyam Pandey

Ms. Amrita Pandey

Ms. Ayushi Mishra

.....for the petitioner

Mr. Bipin Ghosh

.....for the respondent no. 2 & 3

Ms. S. Sengupta

Mr. R. Guha Thakurta

.....for the private respondent

1. The writ application has been preferred challenging an order dated 1st October, 2018 and 27th January, 2023 passed by the Controlling Authority under the Payment of Gratuity Act and the impugned order dated 20th January, 2023 passed by the Certificate Officer under the Bengal Public Demands Recovery Act, 1913.

2. It transpires from the record that the petitioner without approaching the appellate authority under Section 7 sub-section (7) of the Payment of Gratuity Act, has chosen to approach the High Court.

3. Learned counsel appearing for the respondents submits that the petitioner has intentionally not approached the appellate forum but has approached the High Court only to deprive the workmen of his legitimate dues, pending since 2018.

4. Considering the said fact, the writ application is disposed of with liberty granted to the petitioner to

approach the appropriate forum, in accordance with law.

5. **Writ application stands disposed of.**

6. Applications, if any, connected thereto stand disposed of consequently.

7. Interim order, if any, stands vacated.

8. Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]