

11.05.2026
Court No.13
Item No.16
AP

MAT 1612 of 2025
With
CAN 1 of 2025
With
CAN 2 of 2025

State Bank of India and Anr.
Vs.
Union of India and Ors.

Mr. Soumya Majumder, Senior Advocate
Mr. Debashis Saha
Mr. Avirup Roy Sanyal
Ms. Sucheta Pal
Mr. Jyotishman Sarkar

... For the Appellant/State Bank of India.

Mr. Amaresh Bag
Mr. Rajesh Kumar Shah

... For the Union of India.

Mr. Kallol Basu
Mr. Suvadip Bhattacharjee
Mr. K.L. Mukherjee

... For the Respondent Nos.5 & 6.

1. The appeal is directed against an order dated 25th August, 2025 passed by a Single Bench of this Court in WPA 19447 of 2025 (State Bank of India and Anr. Vs. Union of India and Ors.).

2. The State Bank of India was aggrieved by two orders passed by a Conciliation Officer on the dispute raised by the workmen. The dispute is with regard to payment of bonus for the year 2025.

3. By the order dated 22nd July, 2025 under File No.08/15-18/2025-E2 and also in the following files:-

(a) File No.08/15 and 08/16 pertaining to Scientific Security Management Services Pvt. Ltd.,

(b) File No.08/17 and 08/18 pertaining to Lion India Limited,

(c) File No.08/13 and 14 pertaining to Tiger 4 Indian Limited,

(d) 08/21 and 08/22/2025- E-1 pertaining to Global Force Management Services Pvt. Ltd. and Tiger 4 India Ltd. and

(e) File No.08/19 and 20/2025 – E-1 pertaining to S&IB Services Pvt. Ltd.

the Conciliation Officer while recording certain purported admissions on the part of the State Bank of India to reimburse bonus payable by the contractors to the workmen/respondents, found that the Chief Manager of the State Bank of India was not competent enough to apprise him of the stand of the State Bank of India.

4. By the second order passed on the same day, the Assistant Labour Commissioner, Kolkata –I, the Conciliation Officer, directed the Chairman of the State Bank of India to be present in the conciliation proceedings.

5. It is those two orders that was subject matter of challenge before the Single Bench.

6. While the Single Bench stayed the appearance of the Chairman of the State Bank of India, it relied upon communications dated 4th October, 2024 allegedly issued by the State Bank of India to its contractors namely Global

Force Management Services Pvt. Ltd., Tiger 4 Indian Limited, Scientific Security Management Services Pvt. Ltd., Lion India Limited, CISB Services Private Limited and S&IB Services Pvt. Ltd., that they will reimburse bonus payable to a category of employees eligible for the same to the contractors and directed payment of the same.

7. Clearly, the aforesaid order passed by the Single Bench was outside the scope of the writ petition. It is now far too well settled that a Conciliation Officer under the Industrial Disputes Act, 1947 can record agreement resulting in success of the conciliation between the employer and employee or the principal employer and the employee.

8. In the event of any dispute or differences raised by any party, the Conciliation Officer is required to record failure of conciliation for absence of consensus ad idem. In either case, he is required to send a report to the appropriate Government. The appropriate Government in its wisdom may or may not refer the matter for adjudication before the appropriate Tribunal.

9. Bypassing the aforesaid statutory process, the Single Bench could not have relied upon any communication of the State Bank of India, out of context.

10. The orders impugned before the Single Bench in the writ petition particularly the order dated 22nd July, 2025 calling upon the Chairman to appear before the Conciliation

Officer is ex facie bad in law and unwarranted. The same is set aside.

11. It is submitted that the conciliation proceedings have been closed pursuant to the order of the Single Bench. Since this Court is of the view that the Single Bench committed error in relying upon a communication of the State Bank of India and preempted a conciliation proceeding, the impugned order dated 25th August, 2025 is set aside. The conciliation proceedings are revived.

12. The State Bank of India shall depute a competent officer well versed in the matter to participate in the conciliation proceedings. It is expected that all parties are represented before the conciliation officer as and when the proceedings are re-convened by him.

13. It is expected that the conciliation proceedings are completed within a period of one month from the date of communication of a copy of this order. The final report of the Conciliation Officer may be sent to the appropriate Government within 15 days thereafter.

14. The Central Government may take an appropriate decision on the report of the Conciliation Officer if at all required.

15. It is expected that all parties take a reasonable stand before the Conciliation Officer in the light of their communications made in the past and explain any changed circumstances before the Conciliation Officer.

16. With the aforesaid observations MAT 1612 of 2025 is allowed. Consequently, all connected pending applications, if any, are also disposed of.

17. There shall be no order as to costs.

18. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Rai Chattopadhyay, J.)