

20.03.2026
Ct. No. 30
S.L. No. 4
SM

WPA 25316 of 2025
National Jute Manufactures Corporation Limited
Versus
Assistant Labour Commissioner (Central), Kolkata
& Controlling Authority & Anr.

Mr. Soumik Ghosh
Mr. Karuna Bose
.....for the petitioner
Mr. Mrinal Kanti Mukherjee
.....for the respondent no. 2

1. Affidavit-of-service filed be kept with the record.
2. The writ application has been preferred challenging an order dated 25.09.2025 passed by the learned Assistant Labour Commissioner/Controlling Authority.
3. Learned counsel appearing for the private respondent no. 2 has raised the issue of maintainability of the writ application stating that the impugned order is an appealable order and as such the writ application is not maintainable.
4. Learned counsel for the petitioner has placed a certificate issued by the Controlling Authority dated 03.12.2025.
5. Considering the fact that the petitioner has been pursuing his case before a different forum, this Court is of the view that the petitioner is entitled to get the opportunity of moving the appellate forum.

6. On hearing the learned counsels for the parties, the writ application is disposed of with the liberty granted to the petitioner to prefer an appeal against the impugned order of the Controlling Authority, as per Section 7(7) of the Payment of Gratuity Act within 30 days from the date of this order.

7. Period of limitation is extended accordingly in the interest of justice. The impugned order and the certificate dated 03.12.2025 be stayed till the matter is disposed of by the appellate authority, who shall make all endeavour to dispose of the appeal expeditiously.

8. It is made clear that in case no appeal is preferred within the period as directed, the order of stay shall stand automatically vacated and the authority concerned shall be at liberty to proceed in accordance with law.

9. 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]