

18.05.2026.
Court No. 13
Item No. 41
sp

M.A.T. No. 1983 of 2025
With
CAN 1 of 2025
With
CAN 2 of 2025

M/s. Supreme Knowledge of Foundation Group of
Institutions
Versus
The State of West Bengal & Ors.

Mr. Lakshman Chandra Halder.
Mr. Balaram Patra.

..for the appellant.

Mr. Uddipan Banerjee,
Mr. S. Samanta.

..for the respondent no. 4.

Re: CAN 1 of 2025

1. CAN 1 of 2025 has been filed seeking condonation of delay in filing the instant appeal.
2. Sufficient grounds are available to indicate the delay in filing the instant appeal.
3. Hence, the delay is condoned.
4. Accordingly, CAN 1 of 2025 is allowed and disposed of.

Re: MAT 1983 of 2025

5. The appellant is aggrieved by the judgment and order dated 24th September, 2025 passed by a Single Bench of this Court in WPA 22325 of 2025.
6. The writ petition was filed against an order dated 29th July, 2025 in Certificate Case No. 3 of 2024 and

an order dated 8th August, 2023 in Gratuity Case No. 25/G/2022.

7. By an earlier order dated 16th June, 2025, an earlier writ petition being WPA 11716 of 2025 directed the Certificate Officer to dispose of the review petition under Section 54 of the Bengal Public Demand Recovery Act. In terms of the said order dated 16th June, 2025, the Certificate Officer had passed an order dated 29th July, 2025 which has been set out in paragraph no. 5 of the impugned order.

8. Admitted position is that the original order directing payment of interest for delayed released of gratuity to the employee concerned was never seriously challenged. The private respondent/employee retired on 1st March, 2016 and applied for gratuity on 1st March, 2022.

9. Learned counsel for the appellant/employer would argue that since the employee himself delayed applying for gratuity and the employer made payment immediately upon such application, the employee was not entitled to interest.

10. This Court, however, notes that the liability to pay gratuity under the Act of 1972, is upon the employer and is required to be paid within 30 days of cessation of employment. The principal argument against the orders allowing gratuity in any event have not been challenged before the Appellate Authority. An

order passed in a certificate proceedings that were subject matter of the proceeding for the Single Bench.

11. In the backdrop of the above, the order passed by the Single Bench rejecting the writ petition filed by the employer challenging orders of the first authority or the Certificate Officer, calls for no interference whatsoever.

12. Hence, MAT 1983 of 2025 shall stand dismissed.

13. Consequently, CAN 2 of 2025 shall stand disposed of.

14. There shall be no order as to costs.

15. 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.)