

10.02.2026
Ct. No. 30
SL No.8
MKP

WPA 28761 of 2025

Eastern Coalfield Limited And Anr.

Vs.

**The Controlling Authority And Assistant Labour
Commissioner (Central) And Anr.**

Mr. Anup Kanti Poddar
Ms. Debosmita Halder
Ms. Anjali Shaw

.....for the Petitioner

Name not supplied

.....for the State

- 1.** Affidavit of service filed be kept with the record.
- 2.** On hearing the Learned Counsels for the parties and on perusal of the materials on record, it appears that the petitioner herein has challenged an order dated 04.12.2024 passed by the Controlling Authority under Payment of Gratuity Act, 1972 at Asansol.
- 3.** On perusal of the documents annexed to the writ application, it appears that the order of the Controlling Authority had been challenged before the Appellate Authority being the Deputy Chief Labour Commissioner, Asansol, who vide order dated 31.08.2025 has dismissed the appeal on the ground of the same being barred by limitation.

4. Considering the said fact, it is the order of the Appellate Authority which can be challenged in the writ jurisdiction and as there is an order of the Appellate Authority which is not challenged herein this Court cannot go into the legality of the order of the Controlling Authority.

5. Accordingly, the petitioner is hereby permitted to withdraw the present writ application, with liberty to file a fresh application.

6. **WPA 28761 of 2025** stands **disposed of**, being not maintainable.

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

8. Interim order, if any, stands vacated.

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]