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06.10.2026
Ct. No.6
b.das

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction

WPA No. 1999 of 2026

Smt. Putul Ghosh
Vs.
The State of W.B. & Ors.

Mr. Abhijit Ch. Majumder…for the petitioner.

Ms. Supriya Singh
Ms. Nitiksha Biswakarma…for the State.

Affidavit of service filed by the petitioner is taken on record.

On prayer of the petitioner, liberty is granted to expunge the name of the Branch Manager, State Bank of India, Malda Branch, being the 7th respondent herein and implead the Deputy Labour Commissioner, Malda, West Bengal as respondent no.8 in the writ petition.

The cause title of the writ petition be amended accordingly.

Since the State is represented, service of notice upon the added respondent is dispensed with.

Learned counsel for the petitioner submits that the petitioner's son Bishu Ghosh, since deceased, was employed in connection with a work at Sri Krishna College of Engineering and Technology,

Coimbatore and expired on 4th July, 2023 in an accident in course of his employment. Proceeding was initiated under the Employees' Compensation Act, 2023 before the Commissioner for Employees' Compensation, Coimbatore and a sum of Rs.17,92,445/- was awarded as compensation to the petitioner.

A Demand Draft of such amount drawn on the State Bank of India, CTO Complex Branch, Coimbatore was issued and was sent to the Deputy Labour Commissioner, Malda, West Bengal for disbursal.

Learned counsel for the petitioner submits that the said Demand Draft has not been received by the petitioner till date.

It appears from a letter issued by the Joint Commissioner of Labour (P), Malda on 21st August, 2024 that the Demand Draft was sent to the Deputy Labour Commissioner, Malda for disbursal in favour of the dependants of the deceased worker. The letter also states that the Deputy Labour Commissioner, Malda is not the competent authority to receive/deposit/transfer any amount under the Employees' Compensation Act, 2023.

It appears that the Demand Draft of Rs.17,92, 445/- was encashed in favour of Deputy Labour Commissioner, Malda on 11th June, 2024.

Surprisingly the said amount has not been disbursed in favour of the petitioner till date.

In view of the above, the Deputy Labour Commissioner, Malda, being the 8th respondent herein, is directed to disburse the said amount in favour of the petitioner within 10 days from the date of communication of this order alongwith 8% interest per annum thereon from the date of encashment of the draft, that is, 11th June, 2024 till payment of the amount to the petitioner, subject to the petitioner complying with all requisite formalities.

The writ petition is disposed of accordingly.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)