

M/L. 19.
September 2, 2024.
MNS.

WPA No. 13184 of 2024

Hindustan Motors Limited
Vs.
The State of West Bengal and Others

Mr. S. M. Obaidullah,
Mr. Niladri Khanra,
Ms. Ankita Dey

... for the petitioner.

Mr. Susovan Sengupta,
Mr. Manas Kumar Sadhu

...for the State.

Mr. Balaram Patra,
Mr. Suvadip Bhattacharjee

...for the private respondent No. 3.

The grievance of the petitioner is directed against an award dated April 10, 2023. By the award, the private respondent has been awarded not only back wages but also reinstatement of his service. Pursuant to the passing of the award, the private respondent had filed an application under Section 29 of the Industrial Disputes Act, 1947, wherein a notice was issued to the petitioner.

It is alleged on behalf of the private respondent that upon receiving such notice, the petitioner has as an afterthought filed this writ petition in order to circumvent any action which may be taken in view of the application under Section 29 of the Act.

Mr. Susovan Sengupta appearing on behalf of the respondent authorities fairly submits

that there is no stay nor embargo of the impugned award and the respondent authorities are bound to expeditiously implement the same in accordance with law. He further submits that in view of the fact that the impugned award was passed as far back as on April 10, 2023, there is no logical reason nor explanation as to why the respondent authorities *suo moto* have not acted to implement the impugned award.

The only action which has been taken by the respondent authorities is the issuance of a letter dated March 20, 2024 on the basis of an application under section 29 of the Act filed by the petitioner.

In view of the above, let this matter appear on September 9, 2024 as “Specially Fixed”, for the respondent authorities to file a Report giving the particulars of not only the action which has been taken to implement the impugned award but also furnishing the names alongwith designation of the concerned officials who have dealt with this matter.

(Ravi Krishan Kapur, J.)