

06.08.2026
Ct. No. 30
S.L. No. 30
SM

WPA 18575 of 2022
IA No.: CAN 1 of 2023
M/s. Kesoram Industries Ltd.
Versus
Sukhdham Pandey & Anr.

Mr. Soumya Majumder, sr. adv.
.....for the petitioner
Mr. Shamim Ahamed
Mr. Gulsanwara Parvin
Ms. Zoya Eram
.....for the private respondents

1. In course of hearing learned counsel Mr. Shamim appearing for the respondents/workmen relies upon orders dated 07.12.2023 and 12.12.2023 passed by the earlier Bench in the present case.
2. On perusal of the said orders and the directions therein, it appears that the petitioner was directed to pay the arrears of wages in an application under Section 17B of the Industrial Disputes Act.
3. It appears that the Court also considered the opposition of the petitioner and passed certain directions.
4. The respondent herein could not update this Court as to what is the outstanding amount due to the petitioner, as per the order dated 12.12.2023.
5. On hearing Mr. Majumder, learned senior counsel appearing for the petitioner, who has brought the notice of this Court to page 37 in the writ application, it appears that an employee to the

petitioner company is deemed to retire on attaining the age of 55 years.

6. Admittedly, on the date of affirming, the CAN application under Section 17 of the Industrial Disputes Act, the respondent has stated that he is aged about 57 years and as such he had prima facie attained the age of superannuation about 2 years earlier.

7. Accordingly, both the petitioner and the respondent shall file a statement of account, as to the said payment made and received in detail as per direction in the order dated 12.12.2023.

8. Considering the issue raised in the writ application, the records before the Tribunal be called for in the present case and petitioner to put in Special Messenger costs.

9. Matter be listed on **19th August, 2026** for filing of statement of account and necessary orders. **(Part-heard)**

[Shampa Dutt (Paul). J]