



2026:CHC-AS:783

19.01.2026
Ct. No. 30
S.L. No. 7
SM

WPA 23673 of 2025
M/S Grasim Industries Ltd. Unit Jaya Shree
Textiles
Versus
State of West Bengal & Ors.

Mr. Soumya Majumder, sr. adv.
Mr. Balaram Patra
Mr. Suvadip Bhattacharjee
.....for the petitioner

Mr. P.K. Pakrashi
Mr. Afrin Nahar Mondal
.....for the respondent no. 2
Mr. Suman Ghosh
Mr. Sankha Prasad Roy
.....for the State respondents

1. Affidavit-of-service filed by the petitioner be kept with the record.
2. Supplementary affidavit as per leave granted be kept with the record.
3. The writ application has been preferred challenging an award dated 20th June, 2025 passed by the learned Third Industrial Tribunal, West Bengal in Case No. 08 of 2022 under Section 10(1B) (d) of the Industrial Disputes Act, 1947 which has been published on 2nd July, 2025.
4. By way of a supplementary affidavit the petitioner herein has placed a notice issued to the petitioner herein by the respondent no. 1 dated 06.11.2025 for non-implementation of the award under challenge.



5. Vide the impugned order the Tribunal held as follows.

“that the termination of the applicant/workman Baski Ram from his service under M/s. Grasim Industries Ltd. Unit Jaya Shree Textiles in the form of retirement treating his year of birth as 1962 instead of 1966 is found as illegal and unjustified and thus he is reinstated to his existing post as on 31.12.2020 till his retirement/superannuation on the close of working hours of 31st December, 2024.”

6. The Tribunal granted connected reliefs.

7. It appears that the Tribunal accepted the birth certificate issued by the Gram Panchayat, 9 days prior to the date of superannuation of the workman in this case and granted the said relief.

8. Admittedly the workman is in service since 1985. The workman produced a birth certificate for the first time, which was issued on 22.12.2020 in respect of his claim that his date of birth recorded at the time of appointment as 1962 was erroneous and that it should be 1966.

9. This Court thus finds that the petitioner herein has made out a prima facie case against the impugned award and the writ application is required to be heard.

10. Pending hearing, the impugned order dated 20th June, 2025 along with the notice dated



06.11.2025 issued by the Joint Labour Commissioner (P), Kolkata be stayed till 20th April, 2026 or until further orders whichever is earlier.

11. Let the matter be listed in the **Monthly List of March, 2026.**

12. Parties to file their respective written notes on the next date.

[Shampa Dutt (Paul). J]