

21.12.2023.  
Court No.13  
Item No. 267  
ap

**W.P.A. No. 24176 of 2023**

**Sk. Yeasin Ali  
Versus  
The State of West Bengal & Ors.**

Ms. Dona Ghosh,  
Mr. Rananeesh Guha Thakurta.  
...For the petitioner.

Mr. Rajarshi Basu,  
Mr. S.T. Mina.  
...For the State.

Mr. Balai Chandra Paul.  
...For the respondent no.4.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner is aggrieved with an order of the Appellate Authority under the Payments of Gratuity Act, 1972 in Case No. GA-06/2022 (M/s. Budge Budge Company Limited – Vs. – Sk. Yeasin Ali & Anr.).
3. By the said order, the length of service of the petitioner, found by the Controlling Authority to be 39 years has been reduced to 06 years.
4. The petitioner has admittedly received that amount of gratuity.
5. Counsel for the petitioner submits that the finding by the Appellate Authority is contrary to law and the facts of the case.
6. This Court is of the view that the matter cannot be decided without exchange of affidavits.

7. Let affidavit-in-opposition to the main writ petition be filed by the respondents within a period of four weeks from date. Reply, if any, thereto be filed two weeks thereafter.

8. The question of maintainability of the writ petition is kept open.

9. Liberty is granted to the parties to mention the matter for early hearing after completion of pleadings.

10. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

***(Rajasekhar Mantha, J.)***