

10.07.2026
Ct. No. 30
S.L. No. 16-20
SM

WPA 22987 of 2025
M/s. Medicare Environmental Management
Private Limited
Versus
The State of West Bengal & Anr.
With
WPA 26230 of 2025
with
IA No.: CAN 1 of 2025
CAN 2 of 2026
M/s. Medicare Environmental Management
Private Limited
Versus
The State of West Bengal & Anr.
With
WPA 28006 of 2025
with
IA No.: CAN 1 of 2025
CAN 2 of 2026
M/s. Medicare Environmental Management
Private Limited
Versus
The State of West Bengal & Anr.
with
WPA 28011 of 2025
with
IA No.: CAN 1 of 2025
CAN 2 of 2026
M/s. Medicare Environmental Management
Private Limited
Versus
The State of West Bengal & Anr.
with
WPA 29815 of 2025
with
IA No.: CAN 1 of 2026
M/s. Medicare Environmental Management
Private Limited
Versus
The State of West Bengal & Anr.

Mr. Ritesh Kr. Ganguly
Ms. Sanjukta Dutta
Ms. Utsa Podder
Ms. Attri Roy
Ms. Debasmita Chakraborty
.....for the petitioner
Mr. Nayan Rakshit
Mr. Nilay Rakshit
....for the private respondents

1. Affidavit-in-opposition has been served upon the petitioner only on 7th July, 2026 and as such the petitioner prays for an accommodation to file their reply.
2. Learned counsel for the respondent has filed the copies of affidavit-in-opposition in all the five matters. Let the same be taken on record.
3. Parties are not ready with their written notes.
4. Affidavit-in-reply and written notes be filed on the next date fixed.
5. At this stage, learned counsel for the respondent has relied upon a judgment of the Supreme Court in ***Workmen versus Hindustan Vegetable Oil Corporation Limited*** in Civil Appeal No. 2578 delivered on 10.04.2000 in support of his contention that an application under Section 17B of the Industrial Disputes Act has to be disposed of prior to hearing the writ application.
6. This Court vide its order dated 22.05.2026 has passed an extensive order. Considering the respondent's application under Section 17B of the Industrial Disputes Act, this Court has recorded specific reasons as to why no order for payment was passed under Section 17B in the said order, in view of the fact that the respondents in spite of being asked to join the place of postings have failed to join. This was the reason for not considering the prayer

under 17B of the Industrial Disputes Act at that stage.

7. The purpose of a Section 17B application-under the Industrial Disputes Act, 1947 is to provide financial relief to a workman whose reinstatement was ordered by a labor court, but the employer has challenged that decision in a High Court or the Supreme Court.

8. This social welfare provision specifically guarantees that the employee continues to receive their last drawn wages during the often lengthy appeals, which in the facts and circumstances of this case, does not prima facie make out a case for granting financial assistance to the workman/employee at this stage.

9. At this stage, learned counsel for the respondents submits that the application be kept for necessary orders on the next date fixed i.e. on 28.07.2026 in respect of the application under Section 17B of the I.D. Act.

10. Interim order in the present case be extended till 26th August, 2026 or until further orders whichever is earlier.

11. Matter be listed on **28th July, 2026.**

[Shampa Dutt (Paul). J]