

10.03.2026
Ct. No. 30
SL No.11
MKP

WPA 26948 of 2025

**Calcutta Jute Manufacturing Company
Limited**

Vs.

Dasarath Rajbhar And Ors

Mr. S.K.Singh
Mr. R.K.Dubey

.....for the Petitioner

Mr. R.Guha Thakurta
Ms. S.Sengupta

.....for the Respondent No.1

Mr. Rajib Ray

.....for Respondent No.4/E.S.I.

Mr. Dwarikanath Mukhopadhyay
Ms. Amrita Tewari

.....for the State

1. Learned Counsel for the ESI Authority submits and prays for two weeks accommodation to file its report, as the petitioners herein has prayed for records, since 1979.

2. Admittedly, the private respondent has filed a copy of the ESI identity card before Controlling Authority showing that his ESI identity card was issued on 1979.

3. The petitioner herein submits that their case is that the private respondent has not put in the requisite 240 days of work continuously for 5 (five)years to entitle him for gratuity.

4. Admittedly, it is also on record that the private respondent has continued in service till 2017. The petitioner now prays for ESI records for the long period as stated, to substantiate their case on the ground that they do not have any records, as the same have been misplaced and GD has been lodged and such records have not been retained after 3 years as mandated.

5. The petitioner has approached this Court being aggrieved by the refusal of the Controlling Authority to call for the ESI records.

6. It is submitted by the Learned Counsel for the ESI Authority that in such situation it is very difficult for the authority to produce such voluminous records, but the Authority shall try to place the said documents and ESI Authority intends to submit a report.

7. Accordingly, the ESI Authority shall submit a report on 31st of March, 2026, which shall contain/include the details as to the contribution made by the petitioner company in favour of the private respondent herein.

8. The matter be listed on **31.03.2026** for further hearing.

[Shampa Dutt (Paul). J]