

S/L 8
25.02.2025
Court. No. 551
Sourav

WPA 24501 of 2012

**M/s. Cannon Electronic Systems
Vs.
The State of West Bengal & Ors.**

Mr. Biswajit Poral

...for the petitioner.

*Mr. R. Guha Thakurta
Ms. S. Sengupta*

...for the respondent no. 3.

1. Since on 19.02.2025, none appears on behalf of the writ petitioner, the instant matter has been placed under the heading “**For Dismissal**” which was made returnable on February 24, 2025.
2. On February 24, 2025, the writ petitioner was again not represented. However, for ends of justice, this Court did not pass any adverse order on the said day. Today, on behalf of the writ petitioner again an accommodation has been prayed for.
3. While opposing the prayer for accommodation, learned advocate for the private respondent no. 3 at the very outset draws attention of this Court to page nos. 53 to 61 being the copy of the order dated 16.07.2012 as passed by the learned Judge, 1st Labour Court, Kolkata whereby and whereunder in a proceeding under Section 33C(2) of the Industrial Disputes Act, the said Court while allowing the said proceeding came to a finding that the private respondent no. 3 herein who is the applicant before the said Labour Court is entitled to get Rs. 1,29,574/- from the opposite party (the writ petitioner herein) along with

interest at the rate of 12 per cent per annum from the date of filing of the said proceeding.

4. Mr. Guha Thakurta, learned advocate appearing on behalf of the private respondent no. 3 at this stage draws attention of this Court to the order dated 16.01.2013 as passed by a co-ordinate Bench of this Court whereby and whereunder the said Court directed the present writ petitioner to deposit Rs. 1,25,000/- with the learned Registrar General of this Court within two weeks from the said day.
5. It is submitted by Mr. Guha Thakurta that from the order dated 16.03.2021, it would reveal that since the said order dated 16.01.2013 has not been complied with, the Deputy Sheriff of this Court was directed to take the writ petitioner into custody. Drawing attention to the order dated 06.04. 2021 as passed in this case, it is submitted further by Mr. Guha Thakurta that from the said order, it would reveal that ultimately, on 05.04.2021, the writ petitioner deposited the said amount of Rs. 1,25,000/-.
6. It is thus submitted by Mr. Guha Thakurta that for the dilatory tactics adopted by the writ petitioner, the private respondent no. 3 who is a poor workman is suffering like anything.
7. On careful consideration of the entire materials as placed before this Court, this Court finds sufficient merit in the submission of Mr. Guha Thakurta. It appears to this Court that the writ petitioner has no intention to proceed with the hearing of the instant writ petition.

8. Accordingly, the instant writ petition being **WPA 24501 of 2012** is dismissed for default.
9. The learned Registrar General of this Court is hereby directed to handover an account payee cheque to the private respondent no. 3 upon proper identification for a sum of Rs. 1,25,000/- together with interest accrued thereon preferably within seven working days from today.
10. Liberty is given to the learned advocate-on-record of the respondent no. 3 to communicate the server copy of this order to the learned Registrar General of this Court forthwith.

(Partha Sarathi Sen, J.)