19.11.2026
Court No.13
Item No.2
pk

MAT 1581 of 2026
CAN 1 of 2026
CAN 2 of 2026

Sri Ashok Kumar Pandey
Vs.
The Statesman Limited and others

Mr. Anirban Kar,
Mr. Munshi Ashiq Elahi,
Md. Sahidullah Mridha
...for the appellant.

Mr. Soumya Majumdar, Sr. Adv.
Mr. Sakabda Ray,
Mr. S. R. Saha
... for the respondents.

1. Affidavit of service filed in Court is taken on record.
2. The instant appeal is directed against an interim order dated 24.07.2026 passed by the Single Bench of this Court. The writ petition was being heard along with a criminal revisional application filed by the company against proceedings under Sections 33(2)(b) and 33C(2) of the Industrial Disputes Act, 1947 (the 'said Act' in short). The writ petition was filed in the year 2016 against an award of the First Industrial Tribunal dated 07.08.2014 refusing to approve an order of dismissal passed by the employer against, inter alia, the appellant.
3. Another writ petition being WPA 32138 of 2014 was filed in the year 2014 challenging the same award in respect of other workman.
4. Briefly stated the ground of dismissal passed by the employer was a brutal and physical assault on the Chief Editor and the General Manager of the Company.

On an application for confirmation of the dismissal order, the 1st Industrial Tribunal, West Bengal by award dated 07.08.2014 found that the payments pursuant to the order of dismissal of certain paltry amounts invalidated the termination of the workmen.

5. It is argued by Majumdar, learned senior advocate that the Tribunal failed to take into consideration certain notifications of the State Government with regard to the quantum of wages. This Court does not wish to enter into the same as it would be dealt with by the Single Bench in the final hearing of the writ petition.
6. Coming back to the impugned order, the appellant has challenged the same on the ground that the question of maintainability of the writ petition as raised by them has been answered incorrectly against them.
7. This Court is of the view that merely because an award carried into execution under the provision of Sections 33C(1) and 33C(2) of the said Act and certain payments have been made there under would not invalidate the writ petition already pending since the year 2014-2016 challenging the main award passed by the Tribunal. It is not in dispute that the proceedings under Sections 33(2)(b) and 33C(2) are subsequent to filing of the writ petition.
8. The payments or any Act done under execution proceedings of the award would essentially have to be understood to be subject to the result of the two pending writ petitions being WPA 5573 of 2016 and WPA 32138 of 2014.

9. In the light of the above, this Court does not find any reason to interfere with the impugned order.

10. Accordingly, MAT 1581 of 2026 is dismissed. Consequently, connected pending applications are also dismissed.

11. All parties shall act on the server copy of this order and duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Anuj Singh, J.)