

HIGH COURT OF CHHATTISGARH, BILASPUR**WP No.3393 of 2005**

1. Bhagwat Prasad Dubey, aged about 60 years, S/o Shri R.K.Dubey, R/o Haldibadi, Chirmiri, District Korea (CG)
2. Rashtriya Colliery Workers Federation (Regd. No.22 of 1948) with Redg. Office at Federation Office Chirmiri Dist. Korea (CG) through its General Secretary

---- Petitioners

Versus

1. The Registrar Trade Union, Chhattisgarh, Office of the Labour Commissioner, Labhandi, Raipur (CG)
2. State of Chhattisgarh through the Secretary to the Govt. of Chhattisgarh, Department of Labour, DKS Bhavan G.E.Road, Raipur (CG)
3. Chairman cum Managing Director, South Eastern Coalfields Limited, Sepat Road, Bilaspur (CG)

---- Respondents

For Petitioners	:	Mr.Pradeep Saxena and Mr.Sanjay Patel, Advocate
For Res.No.1 & 2	:	Mr.Shashank Thakur, Govt. Advocate
For Respondent No.3	:	Mr.Vinod Deshmukh, Advocate
For Intervener	:	Mr.Shiv Sahu, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**12/10/2017

1. Learned counsel for the petitioners would submit that the petitioner's Trade Union is "Rashtriya Colliery Workers' Federation" and by order dated 29.8.2003 (Annexure P/1) respondent No.1/Registrar of Trade Unions, Chhattisgarh, Raipur has changed the name from "Rashtriya Colliery Workers' Federation" to "Rashtriya Colliery Mazdoor Congress" and same has been made without application supported by resolution of the Union and without affording an opportunity of hearing to the petitioner Union, therefore, it is

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unsustainable and bad in law.

- 2.** On the other hand, learned Government Advocate appearing for respondents No.1 and 2/State, would submit that change has been made on the basis of application filed by the petitioner's Union.
- 3.** I have heard learned counsel for the parties and perused the impugned order.
- 4.** Since the petitioner Union has made an application for reconsideration of the order dated 29.8.2003, which is said to have been passed without hearing the petitioner's Union, respondent No.1/Registrar of Trade Unions, Chhattisgarh, Raipur is directed to consider the application filed by the petitioner Union and to pass a reasoned and speaking order after hearing all affected parties preferably within a period of 45 days from the date of receipt of copy of this order.
- 5.** With the aforesaid observation, the writ petition finally stands disposed of. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-