

SOUTH EASTERN RAILWAY MEN'S
CONGRESS & ORS. VS. ABHISEKH DEBNATH

Mr. Rajdeep Bhattacharya
..for the applicant
Mr. Mainak Ganguly
Mr. K. Raihan Ahmed
..for the defendant no.7
Mr. Tanmoy Mukherjee
Mr. Iresh Paul
..for the respondent nos. 3 to 7

In re: C.A.N. 1 of 2021

This application, in my opinion, does not merit consideration in view of the fact that the modification sought for need not be incorporated in the order passed by this Court. This Court had very categorically allowed the office bearers of the Trade Union to perform the day to day work and attend the grievances of the members and their daily expenses, without taking any major policy decision till the disposal of the application for injunction by the learned Trial Judge.

It is informed that under the garb of taking day to day decisions, the defendants in the suit have appointed a Caretaker General Secretary as a temporary measure to run the day to day business. It is also informed that the learned Trial Judge has concluded the hearing of the injunction application but the order has not yet been

passed.

Under such circumstances, I do not find any necessity to modify the order passed by this Court on January 13, 2021 which was an interim measure chalked out by this court till the disposal of the application for temporary injunction. The ultimate order of the learned Trial Judge while disposing of the injunction application shall decide the issues which were raised before this Court.

It is expected that as the learned Trial Judge has concluded the hearing of the application for injunction and pass orders shortly.

This Court is not required to go into the merits of the modification application.

This application is disposed of.

There will be however no order as to costs.

(Shampa Sarkar,J.)

