

23.02.2021

BP
Sl. 16

WPA 1479 of 2021
(Via Video Conference)

Prabir Kumar Maitra
Vs.
The State of West Bengal & Ors.

Ms. Sikta Roy
..for the petitioner.

Mr. Narayan Bhattacharyay
Mr. Prabir Kumar Ray
..for the State.

Mr. Parvej Anam
..for the respondent no. 3.

Mr. Ranjay De
Mr. B. Banerjee
..for the respondent nos. 5, 6 and 7.

The petitioner has drawn my attention to the fact that no Annual General Meeting of All India Bata Shop Employees' Union having registration no.755 has been held for years together.

In reply to the question of the court the General Secretary, All India Bata Shop Employees' Union, Kolkata, the respondent no.3 has intimated that their last Annual General Meeting was held in the year 2015. The said General Secretary has also raised a preliminary point as to the maintainability of the application on the ground that the petitioner is a retired

employee and not being the member of the Union cannot raise any dispute as to not holding of any Annual General Meeting of the Union.

The petitioner has retired from service on 28th June, 2018 and last Annual General Meeting was held in the year 2015. During his last two years or so the petitioner got no opportunity to raise his voice which is a democratic right due to not holding any Annual General Meeting of the Union.

In such circumstances, I direct the Registrar of Trade Unions, Government of West Bengal, Department of Labour, Kolkata, the respondent no.4 to look into the allegation as I am entertaining this application as because during the service period of the petitioner in the last two years, no Annual General Meeting was held. It is true that he has come late before this court ventilating his grievance with a prayer to direct the respondent no.4 to intervene immediately in the matter.

As because the democratic right of the petitioner in his last two years or so was not given any importance by the Union, I am passing this direction upon the Registrar of Trade Unions to call the representatives of the Union and also the petitioner within a period of eight weeks from date and to take appropriate steps in respect of this matter.

However, the learned advocate for the Secretary

of the Union has submitted that they can call the Annual General Meeting if some time is granted. This aspect is also to be kept in mind by the respondent no.4 while holding the meeting with the parties.

With the above direction, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)

