

23.08.2021
SL No.5
Court No.16
(gc)

WPCT 57 of 2021

**Kundal Mohan Goswami & Anr.
Vs.
Union of India & Ors.**

(Via Video Conference)

Mr. Devajyoti Barman,
Ms. Sanjukta Basu Mallick,
...for the Petitioners.
Mr. Dibashis Basu,
....for the U.O.I.
Mr. Soumik Ghosh,
Ms. Karuna Bose,
...for the Respondent No.2.

This writ petition is not maintainable in view of the fact that the subject matter of challenge is an award passed by the Central Government Industrial Tribunal set up under the provisions of the Industrial Disputes Act, 1947. The dispute was raised under Section 10 of the Industrial Disputes Act, 1947. The said Tribunal is not covered under Article 323A or 323B of the Constitution of India.

Under such circumstances, leave is given to the writ petitioners to withdraw this writ petition and file an appropriate application before the appropriate Bench having the determination.

The writ petition, accordingly, stands dismissed as withdrawn.

It is made clear that we have not gone into the merits of the matter.

The department is directed to return the original certified copy of the impugned award to the learned Counsel

representing the writ petitioners for taking appropriate steps in accordance with law.

(Hiranmay Bhattacharyya, J.)

(Soumen Sen, J.)