

WPA 5938 of 2023

Smt. Bandana Bhattacharya
Vs.
Steel Authority of India Limited & Ors.

Ms. Juin Dutta Chakraborty

....for the petitioner

Mr. Arjun Ray Mukherjee

Mr. Bandhu Brata Bhula

...for the SAIL/respondent No. 1

Mr. Rajib Roy

.....for the P.F. Authorities

Ms. Tanusree Ghosh

...for the Union of India

Mr. Ray Mukherjee, learned counsel appearing on behalf of the Steel Authority of India Limited (SAIL) challenges the maintainability of the writ petition before this Court.

He hands over a Notification dated March 31, 2010 issued by the Ministry of Personnel, Public Grievances and Pensions to contend that the instant writ petition should have been filed before the appropriate Administrative Tribunal.

Ms. Dutta Chakraborty, learned counsel appears on behalf of the petitioner.

In view of the submissions made by the parties this Court is of the view that the appropriate Tribunal is the Court at first instance following the Apex Court's judgment in (**L. Chandra Kumar vs. Union of India & Ors.**) reported in (1997) 3 SCC 261.

In the circumstances, **WPA 5938 of 2023** is **dismissed**.

The parties will be at liberty to file afresh, before the appropriate forum, if so advised.

It is made clear that this Court has not gone into the merits of this writ petition.

All parties to act on the server copies of this order duly downloaded from the official website of this Hon'ble Court.

(Lapita Banerji, J)