

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 21567 of 2023

Exide Industries Limited Permanent Mazdoor
Morcha (Shyamnagar) & Ors.

Vs.

Registrar of Trade Unions & Ors.

Mr. Soumya Majumder
Mr. Vikash Singh
Mr. Victor Chatterjee
Ms. Anamika Pandey
Mr. Piush Kumar

... For the petitioners.

Mr. Kishore Datta, Sr. Advocate,
Mr. Debasish Ghosh
Mr. Debapriya Chatterjee

... For the respondent nos. 1 and 2.

Mr. Jayanta Samanta

... For the respondent no.3

1. Mr. Datta, learned senior advocate representing the respondent nos. 1 and 2, on instruction, submits that his clients do not want to implement the order dated 24th July, 2023 which forms subject matter of challenge in the writ petition, in view of non-compliance of principles of natural justice. He, however, seeks leave to proceed against the petitioners afresh, on the selfsame cause of action.

2. Having regard to the aforesaid submissions made by Mr. Datta, let the aforesaid order dated 24th July, 2023 and the notice in Form F dated 31st July, 2023, which are at page nos.16 and 69 of the writ petition respectively, be set aside.

3. The aforesaid order shall, however, not prevent the respondent no.1 from proceeding against the petitioners afresh, on the selfsame cause of action, in accordance with law.

4. As prayed for, the learned advocate-on-record of the petitioners is directed to communicate the postal/communication address of the petitioners to the learned advocate representing the respondent no.1.

5. With the aforesaid observations/directions, the writ application stands disposed of.

6. There shall, however, be no order as to costs.

7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of necessary formalities.

(Raja Basu Chowdhury, J.)