

21.11.2024.
Item No. 38.
Court No. 13
ap

M.A.T. No. 1100 of 2023
With
I.A. No. CAN 1 of 2023
Indian National Trade Union Congress
(Dubey Group)
Versus
Union of India & Ors.

Mr. Mahendra Prasad Gupta,
Mr. Sartak Singh.

..For the appellant.

Mr. Nilanjan Bhattacharya,
Mrs. Sarda Sha.

....For the UOI.

1. Having heard the learned Counsels for both the parties, this Court has carefully perused the order dated 18th May, 2023 passed by the learned Single Judge of this Court in W.P.A. No. 12128 of 2023.
2. It appears from the said order dated 18th May, 2023 that the interim order was refused by the learned Single Judge due to an order of the Hon'ble Supreme Court of India dated 29th March, 2023 passed in Special Leave Petition (C) No. 8941 of 2023. The petitioner filed a Civil Suit before the Delhi High Court which by an order dated 10th January, 2020 passed in C.S. (OS) No. 384 of 2019 permitted the petitioner therein to seek leave of the Delhi High Court and necessary orders therefrom.
3. The Division Bench of this Court in another appeal permitted a rival group of the petitioner to participate in the deliberations with the JBCCI-XI.

4. The petitioner says that since a Division Bench of this Court has already granted leave to the rival Union, they should also be granted such similar leave.

5. The learned Single Judge, therefore, refused the interim order and called for affidavits and was of the view that the matter needs to be decided after receiving affidavits.

6. The question of any interim order to the petitioner for participating in the JBCCI-XI meetings cannot be entertained or allowed.

7. The intra Court appeal shall stand dismissed.

8. In view of the dismissal of the appeal itself, the connected application being CAN 1 of 2023 shall also stand dismissed.

9. There will be no order as to costs.

10. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)