

D/L. 13.
July 30, 2024.
MNS.

WPA No. 16489 of 2024
+
CAN 1 of 2024

Vesuvius India Limited Workmen's Union
Vs.
The State of West Bengal and Others

Mr. Rishabh Ahmad Khan

... for the petitioner.

Mr. Sirsanya Bandopadhyay,
Mr. Rahul Kumr Singh

...for the applicant of CAN 1 of 2024.

Mr. Somnath Ganguly,
Mr. Manish Biswas,
Ms. Kalpita Paul

...for the State.

Mr. Ranjay De,
Mr. B. Banerjee,
Mr. A. A. Bose

...for the respondent no. 6.

The grievance of the petitioner is directed against inaction on the part of the State respondents in respect of a communication dated June 19, 2023 read with an application dated August 11, 2023 whereby the petitioner has requested for recognition as well as holding an election of the Vesuvius India Limited Workmen's Union.

On behalf of the State respondents, it is submitted that the response to the above letters

would be taken to its logical conclusion within a period of 14 days. It is further submitted on behalf of the State respondents that though the petitioner has been called for a meeting, the petitioner had failed to appear before them.

The intervenors in CAN 1 of 2024 are represented and submit that they are the recognized Trade Union and there is a question of two groups of the same Union appearing in this proceedings. It is further submitted on behalf of the intervenors that any action which has taken by the State respondents should be upon notice to them and after giving them an adequate opportunity of hearing.

On behalf of the the respondent No. 6-company it is submitted that, by a communication dated December 12, 2023, the company has responded to the communication issued by the State respondents.

In view of the submissions made on behalf of the parties, WPA No. 16489 of 2024 stands disposed of by directing the respondent No. 5 to appropriately deal with a response to the latter dated June 19, 2023 read with application dated August 11, 2023 issued by the petitioner to them.

It is made clear that there has been no adjudication on the merits of the case and the

respondent No. 5 is at liberty to act in accordance with law.

In disposing of the said communication, the respondent No. 5 shall also give a right of hearing to the intervenors in CAN 1 of 2024 as well as the management, if so necessary.

It is submitted that the aforesaid exercise should be completed preferably within a month from the date of communication of this order to the respondent No. 5.

With the above directions, WPA No. 16489 of 2024 stands disposed of.

CAN 1 of 2024 seeking intervention stands also allowed.

Since no Affidavit-in-Opposition has been used, the allegations contained in the petition are deemed to have been denied.

(Ravi Krishan Kapur, J.)