

03.09.2024
Court No.13
Item No.74
pk

MAT 1563 of 2024
CAN 1 of 2024

Vesuvius India Ltd. Workmen's Inon
Vs.
State of West Bengal and others

Mr. Rishabh Ahmed Khan
... for the appellant.

Mr. Somnath Ganguli,
Mr. Manish Biswas,
Ms. Kalpita Paul
... for the State.

Mr. Ranjay De,
Mr. Basabjit Banerjee,
Mr. Adityajit Abel Bose
... for the respondent no. 6.

Mr. S. Bandopadhyay,
Mr. R. K. Singh
... for the respondent nos. 7 and 8.

1. Challenge in the instant appeal is to an order dated 30th July, 2024 passed in a Single Bench of this Court in WPA 16489 of 2024.

2. By the said order the Single Bench has directed the Registrar of the Trade Union under the Trade Unions Act to deal with and dispose of the representation dated 19th June, 2023 read with an application dated August 11, 2023 in accordance with law.

3. This Court finds absolutely no infirmity in the order. The order has not decided any rival contentions of the parties as to whether the same constitutes an appealable order within the meaning

of the Clause 15 of the Letters Patent is seriously questionable.

4. Be that as it may, the Government of West Bengal has submitted that the Registrar is in the process of passing appropriate orders in the matter soon. Let such orders be passed by the Registrar within two weeks strictly under the Trade Union Act and the applicable Rules after hearing of parties.

5. The issues which cannot be decided may be left open by the Registrar to be agitated by the parties in accordance with law.

6. Since no affidavit has been called against the stay application by this Court or by the Single Bench to the writ petition, none of the allegations contained in the two pleadings shall be deemed to have been admitted by any of the respondents.

7. With the aforesaid observations, the instant appeal and the connected application are disposed of.

8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)