

18th June, 2025
(D/L No.10)
Ct. No.4
(SKB)

W.P.C.T.117 of 2025

The Executive Director,
Ordinance Factory, Kanpur
Versus
Ordinance Factory Karamchari Union and others

Mr. Ajay Chaubay,
Ms. Amrita Pandey,
Ms. Sneha Singh

....for the petitioner.

Mr. Souvik Nandy,
Mr. Guddu Singh

... for the U.O.I.

1. The affidavit of service filed in court today is taken on record.
2. Heard learned counsel for the petitioner and the learned counsel for the Union of India. Having regard to the nature of order, we propose to pass notice may not be necessary to the other respondents.
3. The writ petitioner has assailed an order dated 03.09.2021 passed in the O.A. No.1355 of 2021 as well as an order passed in the contempt proceedings before the Central Administrative Tribunal, Kolkata Bench (in short 'Tribunal') arising out of CP No.27 of 2022, for alleged non-compliance with the order passed by the Tribunal in O.A. No.1355 of 2021.

4. The learned counsel for the petitioner at the very outset has drawn attention of this court to an order dated 23.03.2022 passed by the Asstt. Works Manager/Admin For General Manager of the Ordnance Factory, Kanpur. The order is in purported compliance of the order passed by the Tribunal in O.A. No.1355 of 2021 on 03.09.2021. He submits that in spite of the order being passed in compliance of the CAT's order passed in O.A. No.1355 of 2021, there is apprehension that the petitioner is required to be physically present before the Tribunal in terms of the order passed in CP No.27 of 2022 on 22.04.2025.
5. We fail to find any factual foundation for such apprehension from perusal of the order dated 22.04.2025, which reads as follows:

“From the above, it transpires that all the respective unit, i.e, Khadki, Pune, Kanpur were having responsibility to comply with the order of this Tribunal since 2021. As no MA or appeal or RA was preferred, the said order is still in vogue. They did not take any action for implementation rather they have filed one Writ Petition recently on 08.04.2025 with respect to orders of 03 OAs only out of 05 OAs. Therefore, the contemnors are granted last chance to comply with the order of this Tribunal and file their compliance report by next date, failing which contemnor nos.5(a) to 8 should remain present before this Court.”

6. A plain reading of the order reveals that the contemnor/petitioner was granted an opportunity to comply the order of the Tribunal and for filing a compliance report. Failure to do so, would entail

personal appearance of the contemnor nos.5(a) to 8 in the contempt proceedings.

7. Since it is the case of the petitioner that he has complied with the order by issuing the speaking order dated 23.03.2022, without going into the merits of the said order, it is expected that the petitioner will submit the same by a compliance report for consideration of the Tribunal in CP No.27 of 2022.
8. It is submitted by the learned counsel for the petitioner that he will submit the speaking order dated 23.03.2022 within two weeks from date.
9. Since we have found no basis for the apprehension that the respondents have been directed to appear mandatorily under the order dated 22.04.2025, we find no reason to interfere with the order.
10. The writ petition is,` thus, disposed of in these terms.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)