

02-07-2025
Item No.654 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.21085 of 2024
Sandip Kumar Rai & Ors.

-vs-

**The General Secretary, National Federation of Indian
Railway (Mens) & Ors.**

Mr. Kishore Mukherjee, adv.
Mr. Ahitagni Dey, adv. ...for the petitioners

Mr. Brijendra Pratap Singh, sr. adv.
Mr. Debashish Basak, adv. ...for Eastern Railway

1. As many as twelve petitioners seek a direction upon the railway authority seeking cancellation of a speaking order dated July 17, 2024 passed by the Principal Chief Personnel Officer of the Eastern Railway (Annexure P9, p.51).
2. It appears that the said authority passed the order in compliance of a direction passed by this Court on May 16, 2024 in WPA No.13603 of 2024 (Sandip Kumar Rai & Ors. v. The General Secretary, National Federation of Indian Railway (Mens) & Ors.).
3. It further appears that there is a dispute in between two factions of an employees' union. According to the petitioners, the railway authority has approved the union. The aforesaid contention of the petitioners is denied by the learned counsel for the railway. It has been submitted that there is no provision to approve a committee or the members of the union by the railway authority.

4. Upon hearing the parties, it appears that there is a dispute between two factions of an union. It will not be proper to direct the employer to interfere in the matter.
5. The writ petition under the aforesaid facts cannot be entertained. The writ petition fails and is hereby dismissed.
6. It will be open for the aggrieved party to approach the competent forum for remedy, if so advised.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

