



W.P.No.34224 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.34224 of 2025

The Managing Director,
IFCI Financial Services Ltd.,
Continental Chambers,
3rd floor,
142 Mahatma Gandhi Road,
Nungambakkam,
Chennai – 600 034.

.. Petitioner

Versus

1. The President,
IFIN Group Officers and Staff Union,
Continental Chambers,
3rd Floor,
142 Mahatma Gandhi Road,
Nungambakkam,
Chennai – 600 034.

2. The Secretary to Government,
Ministry of Labour/Shram Mantralaya,
Shakthi Bhavan, New Delhi.

.. Respondents

(R2 Suo Motu impleaded vide order, dated 03.12.2025
made in W.P.No.34224 of 2025)

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
pleased to issue a Writ of Certiorarified Mandamus calling for the records
of the CGIT in I.A.No.1 of 2025 in I.D.No.20 of 2020 and quash its order,



W.P.No.34224 of 2025

dated 25.07.2025 and direct the CGIT to recall the witness W.W.1 for further cross-examination.

For Petitioner : Mr.R.Raghunathan,
for M/s.T.S.Gopalan and Co

For Respondents : Mr.R.Krishnaswamy, for R1

ORDER

This Writ Petition is filed challenging the impugned order, dated 25.07.2025 made in I.D.No.20 of 2020. The said application was filed to recall *W.W.1* for further cross-examination.

2. The contention made in the Interlocutory Application is that with reference to certain aspects, no cross-examination was done. The application was resisted by the workmen. The Trial Court accepted the contention of the workmen that no specific reason is mentioned and hence, dismissed the petition.

3. *Mr.R.Raghunathan*, learned Counsel for the petitioner would submit that the reasons are mentioned that with reference to certain aspects of the case, the cross-examination was not done. If everything has to be mentioned in detail, then, no purpose will be served by the cross-examination and for that purpose, he would also rely upon the judgment of



W.P.No.34224 of 2025

this Court in ***Hindustan Petroleum Corporation, Ltd., Madras (by Deputy***

General Manager) Vs. Third Additional Labour Court, Madras and

Anr.¹, whereby, this Court has held that if the purpose is expressly disclosed, the effect of cross-examination will be lost, is accepted by this Court.

4. Per *contra*, Mr.R.Krishnaswamy, learned Counsel for the respondent workmen would submit that only to protract the proceedings, the application has been filed. Even without spelling out in detail, the purpose of cross-examination, at least roughly, can be mentioned. Without that, in an open ended manner, the recall petition cannot be permitted. In any event, he would submit that now the respondent is in the box having filed the proof-affidavit and after the evidence of the management is over, the relevant witness can be recalled and in that case, specific direction can be given that the cross-examination should stick to any particular purpose and then, the further cross-examination can be permitted.

5. I have considered the rival submissions made on either side and perused the material records of the case.

¹ 1985 II L.L.N 787



W.P.No.34224 of 2025

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6. Now, it is brought to the notice of this Court that the Government of India has passed a notification, dated 08.12.2025 enabling the existing Tribunals to continue with the cases. Accordingly, the matters will continue and the Tribunal will proceed with the trial in the next hearing that is said to be on 18.12.2025 or sooner thereafter. Next, the question which has to be considered is that whether the management has to be given one more opportunity by allowing the recall petition. It can be seen that the cross-examination has been done. They now want one more opportunity for further cross-examination. Considering the overall facts and circumstances of the case, without adverting into further details, I am of the view that instead of contesting the matter all the way along and keeping one more technical ground for attack ready and even to attack the final award, it will also be in the interest of workmen also to allow the application and to give the management one more opportunity to cross-examine the witness further.

7. It is made clear that the opportunity is given only to cross-examine in respect of any aspect that is omitted and it is not with a view of action replay or cross-examining in respect of the same facts for which



W.P.No.34224 of 2025

already cross-examination has been done. The Tribunal shall ensure that in respect of any left over matters alone, questions can be put to the witness after recall. It is seen that now, the workmen's side evidence is over. On behalf of the management, proof-affidavit is filed. Let *M.W.I* be examined by marking documents and thereafter, the workmen can also cross-examine *M.W.I*. Thereafter, *W.W.I* can be recalled and the date shall be notified by the Tribunal for the presence of the witnesses and on the same day, the cross-examination should be done without any further protraction and the questions can also be restricted to the aspects in which already the workmen not cross-examined.

8. With the above directions and with the further direction to the Central Government industrial Tribunal-cum-Labour Court, Chennai, to dispose of the Industrial Dispute in I.D.No.20 of 2020 as expeditiously as possible, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

16.12.2025

Neutral Citation : no
grs



W.P.No.34224 of 2025

To

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1. The Secretary to Government,
Ministry of Labour/Shram Mantralaya,
Shakthi Bhavan, New Delhi.
2. The Central Government industrial Tribunal
-cum-Labour Court, Chennai.



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W.P.No.34224 of 2025

D.BHARATHA CHAKRAVARTHY, J.

grs

W.P.No.34224 of 2025

16.12.2025