

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
APPELLATE SIDE

Present:

The Hon'ble Justice Shampa Dutt (Paul)

WPA 8899 of 2026

All India Postal Employees Union & Anr.
Vs
Union of India & Ors.

For the petitioners : Mr. Saptanshu Basu, Id. Sr. Adv.
Mr. Swarup Paul,
Mr. Guru Saday Dutta,
Mr. Anish Roy.

For the respondent Nos. 1 to 4 : Mr. Srijib Chakraborty,
Mr. Amarendra Chakraborty.

Judgment reserved on : 05.05.2026

Judgment delivered on : 05.05.2026

Shampa Dutt (Paul), J.:

1. The writ application has been preferred challenging an order dated 19th March, 2026, praying for direction upon the respondent authorities to extend the limited trade union facilities to the petitioners in terms of the solemn order dated 06.12.2025 of the Hon'ble High Court of Jharkhand at Ranchi in W.P.(C) No.3395 of 2023 (All India Postal Employees Union Group 'C'-Vs- UOI & Ors.)

by quashing the said office order dated 19th March, 2026, issued by the Assistant Director General (SR & Legal), SR Sections.

2. Vide the impugned order dated 19th March, 2026, the said authority being the respondent no. 3 herein has directed as follows:-

*“To
All Heads of Postal Circles/Regions.*

Subject: Communication with de-recognized Federation/ Association - NFPE and AIPEU Group 'C'-reg.

Madam/ Sir,

*The undersigned is directed to refer to letter no. SR-10/7/2022-SR-DoP dated 26.04.2023 (**copy enclosed**) whereby National Federation of Postal Employees and All India Postal Employees Union Group 'C' were de-recognized.*

2. It has come to notice that some Circles and some Divisions of the Directorate are continuing correspondence with AIPEU Group 'C'. The issue was also raised in recently held periodic meeting.

3. Therefore, all Circles and Divisions are requested that no correspondence be made with NFPE or AIPEU Group 'C'.

4. Non-compliance of these instructions shall be viewed seriously.

Encl: As above.

Yours faithfully

Assistant Director General (SR & Legal)

Date: 19-03-2026”

3. Learned counsel for the petitioners submits that admittedly their recognition has been withdrawn and they have not challenged the said order withdrawing recognition, but they intend to pray for recognition of their Union within the specific period and time and in the interim the petitioner prays that Trade Union facilities as extended to other de-recognised Trade Unions be also extended to the petitioners herein.
4. It is further submitted by Mr. Basu, learned senior counsel for the petitioner that vide an order dated 3rd June, 2015, the respondent no. 2 being the Director (SR & Legal), Department of Posts, Government of India has extended such facility to the Federation and its affiliated Unions which also did not have recognition. The content of the said letter is as follows :-

“Subject: Trade Union Facilities by Bhartiya Postal Employees Federation and its affiliated Unions.

*In supersession of all orders instructions of even number dated 24/06/2014, 25/07/2014, 30/09/2014, 09/01/2015 and 11/05/2015 on the above subject, it is clarified that it has been decided **to extend the following Trade Union Facilities to the Bhartiya Postal Employees Federation and its affiliated unions:-***

(i) Channel of communication;

(ii) Meetings with senior officers, viz., Circle, Regional and Divisional Heads & issue of replies on the items discussed.

(iii) Office accommodation subject to availability.

Though the facility of Special Casual Leave will not be granted, the office bearers of the BPEF and its affiliated unions may be relieved to attend meetings, timely.

This issues with the approval of competent authority

(Arun Malik)

Director (SR & Legal)”

- 5.** Vide another letter dated 21st June, 2021 further Trade Unions facilities have been extended to the said federation and its affiliated Unions. Vide another letter dated 23rd March, 2018 a general circular was issued by the respondent no. 3 herein being the Assistant Director General (SR & Legal). Further Trade Union facility that is ‘meetings with senior officers, viz., Circle Regional and Divisional Heads’ & issue of replies on the items discussed in many circle was extended to the said federation and its affiliated Unions. Finally by another letter dated 19th September, 2019 **that limited Trade Union facilities provided to Bharatiya Postal Employees Federation and its affiliated Unions would be continued until further orders.**

6. It appears that Bharatiya Postal Employees Federation and its affiliated Unions do not possess any recognition, as in the case of the petitioners herein.
7. It appears that vide the impugned order dated 19th March, 2026 the respondent no.3 has communicated to all heads of postal circles/regions in respect of communication with de-recognized federation / association NEPE or AIPEU Group 'C'. It is on the basis of being de-recognised that the said authority directed all circles and divisions that no correspondence was to be made with the said Unions NFPE or AIPEU Group 'C'.
8. Mr. Basu has relied upon the judgment of this Court passed in **WPA 12853 of 2023 (Asit Bangabash & Others vs. Union of India & Ors.) delivered on 19.11.2025** and **WPA 1334 of 2024 (All India Postal Employees Union Group-C & Anr. vs. Union of India & Ors.), delivered on 23.03.2026**. In the said judgments this Court has discussed the effect of such withdrawal of recognition as done by the authorities concerned, which includes the authority who has issued the impugned order in this case. The said judgments are applicable in this case in respect of the issue of recognition of the Union and the facilities extended to them.
9. Mr. Chakraborty learned counsel appearing for the respondents submits firstly that it is the prerogative of the respondent herein as to whom they will communicate with and whom they will not communicate and, as such, the petitioners cannot claim parity with the other Unions.

- 10.** The next contention of the respondent is that the petitioners should have impleaded the other de-recognised Union being Bharatiya Postal Employees Federation as a party in this case.
- 11.** On hearing the learned counsels for the parties and on perusal of the materials on record, it appears that Bharatiya Postal Employees Federation and its affiliated Unions are not necessary party in this case considering that no relief has been prayed for against them. The communications are final documents and are on affidavit. It thus appears that one Union /one federation and its affiliated Unions admittedly de-recognised enjoy several Trade Union facilities.
- 12.** Considering that the petitioner Unions stands on the same footing, as the BPEF the impugned order dated 19th March, 2026, issued by the Assistant Director General (SR & Legal), Department of Posts, Government of India, shows bias towards the petitioner Union and, as such, there has been clear violation of principle of natural justice and abuse of the process of law in this case.
- 13.** Considering the conduct of the authority concerned in respect of two separate/different de-recognised Unions, this Court finds that the said order suffers from inherent biasness and in the interest of justice cannot be allowed to remain, the same being an abuse of the process of law.
- 14. Accordingly, the impugned order dated 19th March, 2026 is hereby by quashed and set aside.**

15. The respondent authorities are directed to extend Trade Unions facilities to the writ petitioners herein as provided to the other de-recognised union/federation and its affiliated Unions being the Bharatiya Postal Employees Federation.

16. Writ application stands disposed of.

17. Connected application, if any, stands disposed of.

18. Urgent Photostat certified copy of this judgment, if applied for, be supplied to the parties expeditiously after due compliance.

(Shampa Dutt (Paul), J.)