

30. 13.01.2026
Court No.8
(Tanmoy)

FMA/1615/2025
IA NO: CAN/1/2025
EASTERN RAILWAY TRINAMOOLMEN'S CONGRESS
VS
UNION OF INDIA AND ORS.

Mr. Kallol Guha Thakurta
Mr. A. Bhattacharya
Mr. Dibyo Mukherjee
Mr. Dipankar Dutta

...for the appellant.

Mr. Amresh Bag
Ms. Sabita Roy

...for the respondent UOI.

Dictated by Arijit Banerjee, J.

1. By consent of the parties, the appeal and the connected application are taken up together for hearing.

2. This appeal is directed against a judgment and order dated August 26, 2025, whereby a learned Single Judge of this Court dismissed the appellant's writ petition being WPA/8143/2025. The order of the learned Single Judge is a short one and is reproduced hereunder:-

"1. The petitioner prays for a direction upon the respondent authority for conducting reelection of the Union in the railways.

2. It appears from the submission made by the learned advocate representing the petitioner that election stood concluded in December, 2024. The instant writ petition has been filed in April, 2025.

3. Today prayer has been made for directing the authority for conducting the reelection.

4. The Court is not convinced with the submission made by the petitioner seeking reelection. The writ petition has been filed long after the election stood concluded. At this stage, it will be highly improper to pass direction for reelection of the Union.

5. In view of the above, no relief can be granted to the petitioner in the instant writ petition. The writ petition fails and is hereby dismissed.”

3. The appellant says that there were several irregularities and illegalities in the conduct of the Union’s Election. Representations were made to the appropriate Authority pointing out such irregularities/illegalities. No step has been taken.

4. Disputed questions of facts are involved insofar as the grievance of the appellant is concerned. The Writ Court is not the appropriate forum for resolution of such disputes. Further, we agree with the learned Single Judge that there has been unexplained delay in approaching the Court.

5. Hence, we do not see any reason to interfere with the order under appeal.

6. The appeal being FMA/1615/2025 and the connected application being IA No: CAN/1/2025 stand dismissed.

7. This will, however, not prevent the appellant from taking recourse to any other remedy in law that

it may have including filing proceedings before the appropriate civil forum.

8. Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance with all requisite formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)