15.10.2026.
Court No.13
Item No. 4
pk

MAT 1762 of 2026
With
I.A. No. CAN 1 of 2026

CESC Power Sthyaee Karmachari Sangh and another
Versus
The State of West Bengal & Others

Mr. Jaydip Kar, Sr. Adv.,
Mr. Debdut Mukherjee,
Mr. Anurag Modi,
Mr. Ankit Sharma.
...For the appellants.

Mr. Debanjan Mukherjee
... for the CESC.

Mr. Nilanjan Bhattacharjee, Sr. Standing Counsel
Mr. Dibasis Basu,
Mr. S. Bhattacharjee,
Mr. A. Chatterjee,
Mr. Jitendra Kumar Sharma
... for the respondent nos. 1 to 3.

Mr. Pradeep Kumar
... for the respondent no. 5.

1. The intra court appeal is directed against judgment and order dated 29th September, 2026 passed by a learned Single Judge of this Court in W.P.A. 27372 of 2026 whereby the appellants' writ petition was dismissed.

2. The facts of the case are that the appellants claim that it was the original registered trade union of the CESC called "CESC Power Sthyaee Karmachari Sangh and another".

3. The respondent no. 5 applied under Section 5A of the Central Trade Union Regulations claiming to be the new office bearers of the said Trade Union.

4. The Registrar of the Trade Unions in exercise of power under Section 28 being satisfied with the returns submitted by the respondent no. 5 declared them as office bearers. The appellants' application under From-'I' of the 1998 Regulations was rejected. Challenging such rejection, inter alia, on the ground that the respondents did not supply any document, evidencing their claims to be the office bearers of the actual Trade Union, the writ petition was filed against the order dated 8th September, 2026 passed by the Registrar.

5. This Court notes that the Trade Union Act, 1926 does not provide any frame work or modality for recognition of a Trade Union. The Registrar has exercised discretion in his wisdom based on documents that he claims who have examined the order-in-question is reasoned. Both sides were duly heard by the Registrar.

6. It is now well settled that a Writ Court does not sit in appeal over the findings of an administrative work or statutory authority unless there is violation of natural justice and gross and ex facie illegalities demonstrated. This Court does not find any such demonstration by the appellants.

7. The Single Bench has rightly therefore dismissed the writ petition. The appellants, if so advised, and provided under the Act of 1926 may approach a civil court to establish any of their rights.

8. In the light of the above, this Court finds no reason to interfere with the impugned order.

9. Accordingly, MAT 1762 of 2026 is dismissed with liberty reserved to the parties as indicated herein above. Consequently, connected pending application being CAN 1 of 2026 is also dismissed.

10. There will be no order as to costs.

11. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(*Rajasekhar Mantha, J.*)

(*Anuj Singh, J.*)