

(2004) 10 CAL CK 0008
In the Calcutta High Court
Case No : Writ Petition No. 13332 (W) of 2004

Naresh Mukherjee

APPELLANT

Vs

State of W.B. and Others

RESPONDENT

Date of Decision : 05-10-2004

Acts Referred:

Citation : (2005) 3 CHN 115

Hon'ble Judges : Amitava Lala, J

Bench : Single Bench

Judgement

Amitava Lala, J.—Therefore, disallowing the petitioners from earning their livelihood the Trade Union has caused grave injustice towards the members. I have no manner of doubt that they have taken the law in their own hands. It also appears that police has behaved like a silent spectator in spite of the intimation given to them. All elements of public law have been violated.

2. Therefore, this Court has no other alternative but to dispose of the writ petition restraining the union from interfering with the livelihood of the petitioners in any manner whatsoever. The police will render all possible assistance to the owner as well as the driver and conductor of the vehicle in earning their livelihood whenever they are intimated to them. Since the question of law is called upon to discuss nobody has exchanged their affidavits. This order will have a binding effect upon the matter of W.P. No. 13332(W) of 2004 (Naresh Mukherjee v. State of W.B. and Ors.). Parties are entitled to take the gist of the order and communicate to whom it is communicated, will act on such communication.

3. Thus, the writ petition stands disposed of.

4. However, no order is passed as to costs.

5. Xeroxed certified copies of this judgment will be supplied to the parties within seven days from the date of putting requisites for drawing up and completion of

the order and certified copy of this judgment.