

Naresh Mukherjee Vs State of W.B. and Others

Court: Calcutta High Court

Date of Decision: Oct. 5, 2004

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.