

09.04.2026
Item No.506 & 507ML
PG/
Ct. No.1

WP.CT. 102 of 2016
With
I.A. No. CAN 1 of 2020 (Old CAN 5561 of 2020)
With
I.A. No. CAN 2 of 2020 (Old CAN 5562 of 2020)
With
I.A. No. CAN 3 of 2022

Steel Authority of India Limited.
Versus
Shila Ghosh & Ors.
With
WP.CT. 104 of 2016
With
I.A. No. CAN 1 of 2016 (Old CAN 11777 of 2016)
With
I.A. No. CAN 2 of 2017 (Old CAN 7137 of 2017)
With
I.A. No. CAN 3 of 2018 (Old CAN 7100 of 2018)
With
I.A. No. CAN 4 of 2021

The General Secretary,
All India Co-ordination Committee of SAIL
Employees Union
Versus
Union of India & Ors.

Mr. Pushpal Chakraborty
Mr. Prisanka Ganguly.....for the applicant in
I.A. No. CAN 1 of 2020
(Old CAN 5561 of 2020)
&
I.A. No. CAN 2 of 2020
(Old CAN 5562 of 2020)

DICTATED BY SUJOY PAUL, CJ.:

1. None appears for the petitioner and the
department. Sri Pushpal Chakraborty, learned

counsel appears in support of I.A. No. CAN 1 of 2020 (Old CAN 5561 of 2020) and of I.A. No. CAN 2 of 2020 (Old CAN 5562 of 2020).

2. I.A. No. CAN 1 of 2020 (Old CAN 5561 of 2020) and of I.A. No. CAN 2 of 2020 (Old CAN 5562 of 2020) are taken up. The first application aforesaid, is for early hearing of the second application i.e. I.A. No. CAN 2 of 2020 (Old CAN 5562 of 2020).

3. In I.A. No. CAN 2 of 2020 (Old CAN 5562 of 2020), the applicant has prayed for permission for addition of party. In support of this application, learned counsel for intervenor submits that the main original applicant/Respondent herein succeeded in the tribunal. The employer i.e. Steel Authority of India has filed this petition against a similarly situated employee. The present intervenor is similarly situated and in order to avoid multiplicity of litigation, he has directly filed this application so that he may get the same relief by opposing the petition of the employer.

4. In our opinion, the said contention is misconceived. The intervenor cannot claim a relief for himself. As per the Constitution Bench judgment of Supreme Court in **L. Chandra Kumar Vs. Union of India & Ors.** reported in **(1997) 3 SCC 261**, the Court of First instance for the employee is Central Administrative Tribunal.
5. Apart from this, the principle flowing from Order 1 Rule 10 CPC are also not attracted in the present case. The present intervenor is neither a necessary party nor a proper party. It cannot be said that without hearing him, the present matter cannot be decided. Thus, necessary ingredients to become a party are totally missing in the present case.
6. If intervenor is similarly situated and intends to get same relief, the remedy for him is elsewhere and not before this Court in a petition pending between two different parties.
7. Thus, this misconceived application (I.A. No. CAN 2 of 2020 (Old CAN 5562 of 2020) and

application for early hearing (I.A. No. CAN 1 of 2020 (Old CAN 5561 of 2020) are dismissed.

8. Liberty is reserved to the intervenor to file appropriate application/proceeding before correct forum in accordance with law.

9. List both the matters for final hearing on 16.04.2026 under the heading 'Hearing'.

10. Department is directed to tag I.A. No. CAN 3 of 2022 filed in connection with WP.CT. 102 of 2016 with the instant files.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)