

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THURSDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND**

THE HONOURABLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

WRIT APPEAL NO: 1072 OF 2026

Writ Appeal under clause 15 of the Letters Patent preferred against the Order dated 18-09-2026 in I.A.No.1 of 2026 in W.P.No.31166 of 2026 on the file of the High Court.

Between:

E.Ashwathama Reddy, S/o. E.Janardhan Reddy, Age 62 years, Occ Voluntary Retired Controller, R/o. Flat No.406, CNR Plaza, Nagarjuna Colony, Champapet, Hyderabad.

...APPELLANT/RESPONDENT No.5

AND

1. RTC Telangana Mazdoor Union, Regd. No.A-4528, Rep, by its General Secreary, Sri M.Thomas Reddy, Door No.2-2-1167/8/14, Thilaknagar, Main Road, New Nallakunta, Hyderabad.

...RESPONDENT No.1/WRIT PETITIONER

2. The State of Telangana, Rep. by its Principal Secretary, Labour and Employment, Secretariat, Hyderabad.
3. The Commissioner of Labour, State of Telangana, T. Anjaiah Shramik Samkshema Bhavan, Back Side of Devi 70 MM Theater, RTC 'X' Road, Hyderabad-500 020.
4. The Joint Commissioner of the Labour, Twin Cities cum -Returning Officer - cum-Additional Registrar Under Trade Union Act, Anjaiah Shramik Samkshema Bhavan, RTC 'X' Road, Hyderabad.
5. Telangana State Road Transport Corporation, Rep by its Managing Director, Bus Bhavan, Musheerabad, Hyderabad

6. A. Venkateshwarlu, S/o Ramachandram, Age 58 years, Occ Ex, employee, R/o. H.No.5-5-490/G2, First Floor, Prashant Nagar, Saheb Nagar, Vanasthalipuram, Ranga Reddy District- 500070

...RESPONDENTS

I.A. NO: 2 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the impugned order passed by the Learned Single Judge, dated 18-09-2026 in I.A.No.1 of 2026 in W.P.No. 31166 of 2026, pending disposal of the above Writ Appeal.

**Counsel for the Appellant: SRI PRABHAKAR CHIKKUDU, Sr. COUNSEL, REP.
SRI NARESH KUMAR NEEMKAR**

Counsel for the Respondent No.1: SRI V.NARASIMHA GOUD

**Counsel for the Respondent Nos.2 to 4: SRI T.VENKAT RAJU GOUD,
GP FOR LABOUR**

Counsel for the Respondent No.5: SRI R.ANURAG, SC FOR TGSRTC

The Court delivered the following: JUDGMENT

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

WRIT APPEAL No.1072 of 2026
(CNR No.HBHC010666802026)

Dated: 01.10.2026

BETWEEN:

E Ashwathama Reddy

.... Appellant

AND

RTC Telangana Mazdoor Union,
Regd.No. A-4528, Rep. by its General Secretary,
Sri M.Thomas Reddy, Door.No. 2-2-1167/8/14,
Thilaknagar, Main Road, New Nallakunta,
Hyderabad and others

.... Respondents

JUDGEMENT:

This Writ Appeal, preferred under Clause 15 of the Letters Patent, is directed against the order dated 18.09.2026 passed by the learned Single Judge in I.A.No.1 of 2026 in W.P.No.31166 of 2026, whereby the proceedings dated 11.09.2026 issued by the Joint Commissioner of Labour (Twin Cities)-cum-Returning Officer-cum-Additional Registrar under the Trade Unions Act, 1926 were suspended till 29.10.2026, and the Labour authorities were directed to permit the petitioner-Union, headed by Sri M. Thomas Reddy, to contest in the forthcoming secret ballot election in the Telangana State Road Transport Corporation ("TGSRTC").

2. Heard Sri Prabhakar Chikkudu, learned Senior Counsel appearing for Sri Naresh Kumar Neemkar, learned counsel for the appellant; Sri V. Narasimha Goud, learned counsel for Respondent No.1; and Sri T. Venkat Raju Goud, learned Government Pleader for Labour, appearing for Respondent Nos.2 to 4. Perused the material placed on record. The parties are referred to as they are arrayed in this Writ Appeal.

FACTS

3. The dispute in the present Writ Appeal concerns the rival claims of two groups to represent the RTC Telangana Mazdoor Union, Regd. No.A-4528 ("the Union"), a trade union registered under the Trade Unions Act, 1926. The appellant claims to represent one group, whereas Respondent No.1, the Union, represented by its General Secretary Sri M. Thomas Reddy, represents the rival group.

4. The Union was registered in the year 2011. Following membership verification conducted on 19.07.2016, 25.07.2016 and 26.07.2016, it was recognised as the majority union by Circular No.PD-22/2016 dated 08.08.2016.

5. In the year 2020, disputes arose between the members of the Union with regard to its office-bearers and the persons entitled to

represent it. Sri M. Thomas Reddy, who was then the Working President, is stated to have resigned from the said post on 28.09.2020, and the resignations of Sri N. Kamalakar Goud and certain other office-bearers are stated to have been accepted on 11.10.2020. The appellant's case is that, notwithstanding the said resignations, those persons continued to represent themselves as office-bearers and were expelled from the primary membership of the Union with effect from 21.11.2020.

6. On 08.04.2021, the General Committee of the Union is stated to have met in the presence of 238 members of the Central Committee and passed resolutions concerning the constitution of its office-bearers. According to the appellant, the updated list of office-bearers was communicated to the Commissioner of Labour, the Managing Director of TGSRTC and the Additional Registrar of Trade Unions, Ranga Reddy Zone. Respondent No.1's case, on the other hand, is that Sri M. Thomas Reddy and others were elected as office-bearers on 29.01.2021.

7. While the rival claims were subsisting, the Additional Registrar of Trade Unions, by proceedings dated 11.08.2021 purportedly issued under Sections 8 and 28 of the Trade Unions Act, 1926, altered the Form-B register of the Union and recorded

the names of the persons belonging to the group represented by Respondent No.1 as the office-bearers.

8. The said proceedings 11.08.2021, were challenged in W.P.No.24872 of 2021. By an interim order dated 04.10.2021, this Court suspended the operation of the Form-B entry. The writ petition was thereafter disposed of on 20.12.2021, taking note of the dispute between the rival groups, with a direction to the parties to approach the Additional Registrar of Trade Unions and Joint Commissioner of Labour, Ranga Reddy Zone, who was to conduct a preliminary/summary enquiry and decide which group was entitled to continue as the elected body of the Union. It was observed that, after such a decision, the aggrieved party would be at liberty to approach the Civil Court.

9. Pursuant thereto, proceedings dated 18.05.2022 were passed by the competent authority. They were challenged in W.P.No.24317 of 2022, in which this Court, by order dated 07.07.2022, remitted the matter for fresh consideration, directing the competent authority to pass a detailed order in accordance with the order dated 20.12.2021 in W.P.No.24872 of 2021. On remand, the competent authority passed proceedings dated 04.10.2022 holding that the group headed by Sri M. Thomas Reddy was entitled to continue as the elected body of the Union.

10. The proceedings dated 04.10.2022 were challenged in W.P.No.38731 of 2022. On 18.10.2022, this Court initially granted an order of *status quo* therein. By order dated 03.06.2024, the writ petition was disposed of and the interim order stood vacated. This Court observed that the controversy involved disputed questions of fact which could not appropriately be adjudicated in proceedings under Article 226 of the Constitution of India, and relegated the parties to the competent Civil Court.

11. Pursuant to the liberty so granted, the appellant, along with the Union and two others, instituted O.S.No.5495 of 2024 before the learned X Junior Civil Judge, City Civil Court, Hyderabad, seeking, *inter alia*, a declaration that the Form-B entry dated 11.08.2021 is null and void and consequential reliefs concerning the conduct of fresh elections to the Managing Committee of the Union. No interim order has been granted in the suit, and the suit is pending adjudication. Thus, the question as to which of the rival groups is entitled to represent and function as the elected body of the Union is the subject matter of the said suit.

12. While the suit was pending, the Commissioner of Labour appointed the Joint Commissioner of Labour, Hyderabad (Twin Cities) as the Returning Officer for conducting the secret ballot election to determine the majority union under the Code of

Discipline in TGSRTC. Notice No.B/946/2026 dated 31.08.2026 was issued convening a meeting on 07.09.2026.

13. According to Respondent No.1, Sri M. Thomas Reddy attended the meeting and submitted a representation dated 08.09.2026 seeking allotment of the Union's existing symbol, which the Returning Officer declined to receive, and it was therefore sent by post and received on 10.09.2026. Thereafter, Respondent No.4 (Respondent No.3 in the writ petition) issued proceedings No.B/946/2026 dated 11.09.2026, taking note of the pendency of O.S.No.5495 of 2024 and the dispute between the rival groups, and decided not to permit Respondent No.1 to participate in the forthcoming election.

14. Subsequently, proceedings bearing No.B/946/2026 dated 18.09.2026 were issued notifying the election schedule, with the election scheduled for 09.10.2026 and allotment of election symbols fixed for 26.09.2026.

15. Aggrieved by the proceedings dated 11.09.2026, Respondent No.1 filed W.P.No.31166 of 2026, along with I.A.No.1 of 2026 under Section 151 of the Code of Civil Procedure, 1908, seeking suspension of the said proceedings and a direction to permit the Union to contest in the secret ballot election pending disposal of

the writ petition. The learned Single Judge, by order dated 18.09.2026, allowed the interim application in the terms set out hereunder. Aggrieved thereby, the appellant has preferred the present Writ Appeal.

REASONING OF THE LEARNED SINGLE JUDGE

16. The learned Single Judge directed that notice be issued to the respondents, providing that the receipt of the order would be deemed to be the receipt of notice, and heard the learned counsel for the writ petitioner, the learned Government Pleader for Labour and the learned counsel for TGSRTC. The order records the submissions of the learned counsel for the writ petitioner that the Form-B dated 11.08.2021 and the proceedings dated 04.10.2022 had neither been set aside by this Court nor by the Civil Court, that the proceedings dated 11.09.2026 were contrary to the same; that the Trade Unions Act, 1926 contains no provision prohibiting a union from contesting the elections; that Section 10 of the Act contemplates two months' advance notice before cancellation of registration; and that no notice or opportunity of hearing was afforded before the Union was prohibited from contesting. The learned Government Pleader for Labour and the learned counsel for TGSRTC opposed the application.

17. The learned counsel for the writ petitioner relied upon the judgment dated 09.01.2026 passed by this Court in W.P.No.32597 of 2025¹, paragraph No.11 of which was extracted by the learned Single Judge as follows:

"11. Admittedly, no order has been passed by the Registrar of Trade Unions cancelling or withdrawing registration of any of the respondent trade unions. It is also not the case of petitioner that any application seeking cancellation of registration was filed before the Registrar of Trade Unions and adjudicated upon. In the absence of any such determination by the competent statutory authority, this Court cannot presume that respondent trade unions stand disqualified or have ceased to exist in the eye of law. The submission of petitioner that labour authorities were bound to first determine the alleged disqualification of the trade unions before initiating the election process cannot be accepted. Unless and until registration of a trade union is cancelled in accordance with Section 10 of the Trade Unions Act, 1926, the union continues to exist as a registered trade union and is entitled to participate in the statutory process of verification and recognition under the Code of Discipline."

18. The learned Single Judge observed that the submissions made by the learned counsel for the petitioner do require detailed

¹ TSHC: W.P.No.32597 of 2025 decided on 09.01.2026

examination, and, as an interim measure, issued the following directions:

“(i) The impugned proceedings, dated 11.09.2026 issued by respondent No.3 are hereby suspended, till 29.10.2026.

“(ii) Respondent Nos.1 to 4 are directed to permit the petitioner-Union, headed by Mr. Thomas Reddy, to contest in the forthcoming TGSRTC elections.”

19. The writ petition and the interim application were directed to be posted on 29.10.2026.

SUBMISSIONS ON BEHALF OF THE APPELLANT

20. Learned Senior Counsel appearing for the appellant contended that the learned Single Judge erred in granting interim relief at the first hearing without hearing the appellant, although the direction permitting Respondent No.1 to participate in the election substantially affects the appellant's rights. It was submitted that, since the election was scheduled for 09.10.2026 and the writ petition was posted to 29.10.2026, the interim direction virtually grants the final relief sought in the writ petition and creates a *fait accompli*. It was further contended that the order does not record any finding regarding *prima facie* case, balance of convenience or irreparable injury.

21. Learned Senior Counsel placed reliance upon the judgment of the Hon'ble Supreme Court in *Optimus Infracom Limited v. Ishan Systems Private Limited*², for the proposition that the grant of an interim order without notice or opportunity of hearing is not only arbitrary but also contrary to the principles of natural justice; that interim orders which benefit the writ petitioner almost to the complete extent of the final relief are impermissible; and that the proper course is to issue notice, pass interim orders if necessary, and pass final orders after hearing the parties.

22. Learned Senior Counsel submitted that the dispute as to which rival group is entitled to represent the Union is pending before the Civil Court in O.S.No.5495 of 2024, pursuant to the order dated 03.06.2024 in W.P.No.38731 of 2022 whereby this Court relegated the parties to the Civil Court. According to the appellant, the Form-B dated 11.08.2021 and the subsequent proceedings dated 04.10.2022 cannot be treated as finally determining the rival claims, and the Writ Court ought not to have effectively adjudicated the said dispute at the interim stage.

23. Learned Senior Counsel further placed reliance upon the judgment of the High Court of Judicature at Patna in *Bokaro Steel*

² (2012) 8 SCC 572

*Workers Union v. State of Bihar*³, for the proposition that, where two rival factions claim to be the office-bearers of a trade union, the Registrar of Trade Unions has no authority or power to direct the Government or the employer to recognise any particular person or group as the duly elected office-bearers, or to direct the holding of elections of office-bearers under his supervision or that of his nominee, and that, in the absence of any provision in the Trade Unions Act, 1926, such a dispute can only be resolved by a civil suit. It was contended that, by permitting the group headed by Sri M. Thomas Reddy to contest, the impugned order in effect gives interim recognition to one of the rival groups.

24. Learned Senior Counsel submitted that the reliance placed by Respondent No.1 on Section 10 of the Trade Unions Act, 1926 and the judgment dated 09.01.2026 in W.P.No.32597 of 2025 is misplaced, as the said provision and judgment deal with cancellation of registration of a trade union, whereas there is no dispute in the present case regarding the registration of the Union. The dispute is between two rival groups as to which of them is entitled to represent the registered Union and to participate in the election in its name and with its election symbol. It was contended that permitting Respondent No.1 to participate, while the said dispute is pending before the Civil Court, would prejudice the

³ 1995 SCC OnLine Pat 64.

appellant's claim. Learned Senior Counsel accordingly sought setting aside of the impugned interim order.

SUBMISSIONS ON BEHALF OF RESPONDENT No.1

25. Learned counsel for Respondent No.1 supported the order of the learned Single Judge and submitted that the Form-B dated 11.08.2021 and the proceedings dated 04.10.2022, recognising the group headed by Sri M. Thomas Reddy as the elected body of the Union, have neither been set aside nor stayed by any competent Court and continue to operate. According to learned counsel, the mere pendency of O.S.No.5495 of 2024 does not render the said proceedings inoperative.

26. It was further submitted that the Union continues to be a registered trade union under the Trade Unions Act, 1926 and its registration has not been cancelled under Section 10 of the Act. Therefore, Respondent No.1 could not have been prevented from participating in the forthcoming election merely on the ground that a dispute between the rival groups is pending before the Civil Court. Reliance was placed on the judgment of this Court dated 09.01.2026 in W.P.No.32597 of 2025.

27. It was also submitted that the proceedings dated 11.09.2026, by which Respondent No.1 was prevented from participating in the election, were issued without notice or

opportunity of hearing and were contrary to the subsisting Form-B and the proceedings dated 04.10.2022. Learned counsel therefore submitted that the learned Single Judge was justified in suspending the said proceedings and directing the authorities to permit Respondent No.1 to participate in the forthcoming election, and that no interference is warranted with the impugned interim order.

SUBMISSIONS ON BEHALF OF RESPONDENT Nos. 2 to 4

28. The learned Government Pleader for Labour, appearing for Respondent Nos.2 to 4, relied upon the written instructions issued by the Returning Officer and Joint Commissioner of Labour, Hyderabad (Twin Cities), vide Lr.No.B/946/2026 dated 29.09.2026, addressed to the learned Government Pleader for Labour, and also referred to the election schedule vide Proc.No.B/946/2026 dated 26.09.2026.

29. According to the said instructions, the Commissioner of Labour appointed the Joint Commissioner of Labour, Hyderabad (Twin Cities) as the Returning Officer/Verification Officer for the secret ballot election to determine the majority union under the Code of Discipline in TGSRTC, vide Memo No.G1/3853384/2026 dated 09.06.2026. The first notice was issued on 29.06.2026 and the second notice on 09.07.2026, calling upon all the unions

operating in TGSRTC to submit their union verification documents on or before 23.07.2026. Twelve unions submitted their documents. Among them, in respect of the RTC Telangana Mazdoor Union, Regd. No.A-4528, two rival groups, namely the E. Ashwathama Reddy group and the Thomas Reddy group, submitted the requisite documents, the former filing the original Registration Certificate and the latter a copy of it.

30. The instructions further state that O.S.No.5495 of 2024 is pending before the learned X Junior Civil Judge, City Civil Court, Hyderabad, on account of the intra-union rivalry, and that W.P.No.38731 of 2022 was earlier disposed of giving liberty to the aggrieved party to approach the Civil Court. It is stated that the procedure for verification of membership of trade unions operating in an establishment is laid down in the Code of Discipline, which is a non-statutory process; that, for an intra-union dispute, the Civil Court is the appropriate authority; that the Registrar or Additional Registrar of Trade Unions has no authority or power to direct the election of the office-bearers of a trade union under his own supervision or that of his nominee when an intra-union dispute exists; and that the role of the Returning Officer is only to determine the majority union in an establishment and not to conduct the election of office-bearers of a trade union. It is further

stated that, due to the intra-union rivalry, the Union was excluded from contesting as per the minutes of the meeting held on 15.09.2026.

31. The learned Government Pleader further submitted, on the basis of the instructions, that, pursuant to the interim order of this Court in W.P.No.31166 of 2026, the Returning Officer, by Proc.No.B/946/2026 dated 26.09.2026, permitted the RTC Telangana Mazdoor Union, Regd. No.A-4528 to contest in the secret ballot election, and allotted symbols to twelve contesting unions, including the RTC Telangana Mazdoor Union, Regd. No.A-4528 and the Telangana RTC Workers Union, Regd. No.A-4522. The allotment of symbols was done on 26.09.2026 and dummy ballot papers were communicated to all the contesting unions on 29.09.2026.

POINTS FOR CONSIDERATION

32. On the facts pleaded and the rival submissions, the following points arise for consideration in this Writ Appeal:

(i) Whether the interim order dated 18.09.2026 is vitiated for having been passed without hearing the appellant, in the manner deprecated in *Optiemus Infracom Limited v. Ishan Systems Private Limited*?

(ii) Whether the interim order, having regard to the election scheduled for 09.10.2026 and the posting of the

writ petition to 29.10.2026, amounts to the grant of final relief and creates a *fait accompli*?

(iii) Whether the interim direction permitting Respondent No.1 to contest in the election adjudicates the rival claims pending in O.S.No.5495 of 2024, or amounts to recognition of one of the rival groups, in view of *Bokaro Steel Workers Union v. State of Bihar* and the reliance on Section 10 of the Trade Unions Act, 1926?

(iv) Whether the impugned interim order warrants interference by this Court in the exercise of its appellate jurisdiction under Clause 15 of the Letters Patent?

ANALYSIS AND FINDINGS

33. At the outset, it is necessary to delineate the scope of this Writ Appeal. The appeal arises out of an interim order passed in an application in a writ petition which is pending before the learned Single Judge. The entitlement of the rival groups to represent the Union is the subject matter of O.S.No.5495 of 2024, which was instituted pursuant to the liberty granted by this Court on 03.06.2024 in W.P.No.38731 of 2022, as the controversy involves disputed questions of fact. Those questions include the alleged resignations, their acceptance, the expulsions, the General Committee meeting dated 08.04.2021, the elections of 29.01.2021, and the validity and effect of the Form-B entry dated 11.08.2021 and the proceedings dated 04.10.2022.

34. We are not called upon, and do not propose, to decide any of those questions, nor the validity of the proceedings dated 11.09.2026, which is the subject matter of the writ petition. Any finding on whether a *prima facie* case exists, or on the merits of the rival claims, may affect the pending writ petition or O.S.No.5495 of 2024, and we therefore refrain from recording any such finding. Our consideration is confined to the grounds on which the appellant has assailed the interim order.

Point (i)

35. The appellant relies on *Optiemus Infracom Limited's case* (supra). That was a case in which a High Court, while dismissing a writ petition at the threshold, issued various directions to the Debts Recovery Tribunal and restrained the auction-purchaser from dealing with the property, without notice to him. The Hon'ble Supreme Court held that the course adopted was impermissible, that the grant of an interim order without notice or opportunity is arbitrary and contrary to the principles of natural justice, and that the proper course is to issue notice, pass interim orders if necessary, and pass final orders after hearing the parties.

36. We have no hesitation in accepting the principle, but it is not attracted to the facts of this case. In *Optiemus Infracom Limited's case* (supra), the writ petition had been dismissed at the threshold

without notice, and the restraint was imposed on a third party who had not been heard. In the present case, the writ petition has not been dismissed; it is pending. The learned Single Judge directed issue of notice to the respondents, provided that receipt of the order would be treated as receipt of notice, and passed the interim order after hearing the learned counsel for the writ petitioner, the learned Government Pleader for Labour and the learned counsel for TGSRTC, who are the authorities whose proceedings were under challenge. The directions are issued to the Labour authorities and not against the appellant or any other private party.

37. We do notice that the appellant, who was arrayed as respondent No.5 in the writ petition, was not heard before the interim order was passed. However, the order is not final. It operates only till 29.10.2026, on which date the matter stands posted, and the appellant, having been served with notice, is entitled to file his response and to seek vacation or modification of the interim order before the learned Single Judge. The appellant has also been heard at length in this appeal. In these circumstances, we are unable to hold that the order suffers from the vice dealt with in *Optiemus Infracom Limited's case* (supra). Point (i) is answered against the appellant.

Point (ii)

38. The second limb of the appellant's reliance on *Optiemus Infracom Limited's case* (supra), and his contention of *fait accompli*, is that the interim order grants the final relief and that, as the election is scheduled for 09.10.2026 and the writ petition is posted to 29.10.2026, the writ petition would be rendered infructuous.

39. It is true that the interim direction operates in the same area as the relief sought in the writ petition, and that it may have practical consequences in the intervening period. But the writ petition has not been finally decided. The learned Single Judge has not held the proceedings dated 11.09.2026 to be invalid; they have only been suspended till 29.10.2026. The direction is confined to permitting Respondent No.1 to contest in the election, and does not decide the result of the election, the entitlement of any group to represent the Union, or the validity of any earlier proceedings. The consequences of the interim order and of its refusal would both operate during the intervening period, and which course was appropriate was a matter for the discretion of the learned Single Judge, which this Court does not substitute merely because another view is possible.

40. As to the contention that the order does not record findings on *prima facie* case, balance of convenience and irreparable injury,

the learned Single Judge has recorded the submissions, has observed that they require detailed examination, and has stated that the directions are issued as an interim measure. For the reasons already stated, we do not undertake an examination of these aspects ourselves, as that would touch upon the merits of the pending proceedings. It will be open to the appellant to place all his contentions on this aspect before the learned Single Judge. Participation in the election pursuant to the interim order shall not confer any right on Respondent No.1 to represent the Union, nor foreclose any right or contention of the appellant. Point (ii) is answered against the appellant.

Point (iii)

41. The appellant next relies on *Bokaro Steel Workers Union's case* (supra). That was a case in which the Labour Commissioner, Bihar, by a communication, dealt with the conflicting claims of two factions to be the rightful office-bearers of a registered trade union. The High Court held that the Registrar of Trade Unions can hold an enquiry for the purpose of maintaining and updating the register, but has no authority or power to direct the Government or the employer to recognise any person or group as the duly elected office-bearers, or to direct the holding of elections of office-bearers of a union, and that, in the absence of any provision in the Trade

Unions Act, 1926, any such dispute can be resolved only by a civil suit.

42. The said decision is distinguishable. There, the authority had itself dealt with the claims of the rival factions to be the office-bearers of the union and had issued directions on that footing. In the present case, the impugned order does not declare any person or group to be the office-bearers of the Union, does not direct the holding of elections of the Union's office-bearers, and does not direct the employer or the Corporation to recognise any group for dealing with the Union. It suspends the proceedings dated 11.09.2026 and directs the Labour authorities to permit Respondent No.1 to contest in the TGSRTC secret ballot election. That election is held under the Code of Discipline to determine the majority union, which, as stated in the written instructions of the Returning Officer, is a non-statutory process and one in which the role of the Returning Officer is only to determine the majority union and not to conduct the election of office-bearers of a trade union.

43. The expression "headed by Mr. Thomas Reddy" in the impugned order describes the petitioner-Union as it was represented before the learned Single Judge. It is not a declaration that Sri M. Thomas Reddy's group is the lawful executive of the

Union, and the order does not purport to decide the dispute between the two groups. That dispute remains for adjudication in O.S.No.5495 of 2024, as the Returning Officer's own instructions also acknowledge.

44. As to the contention of the appellant that Section 10 of the Trade Unions Act, 1926 and the judgment in W.P.No.32597 of 2025 deal only with cancellation of registration, and as to the effect of the Form-B entry dated 11.08.2021 and the proceedings dated 04.10.2022, these questions go to the merits of the writ petition and of the suit. We express no opinion on them, and nothing in this order shall be taken as accepting or rejecting the reliance placed by either side on them. Whether the proceedings dated 11.09.2026 were validly issued, and whether the principle in *Bokaro Steel Workers Union's case* (supra) governs the powers of the Returning Officer or the Additional Registrar in the circumstances of this case, are matters for the learned Single Judge. For the purpose of this appeal, it is sufficient to hold that the interim order does not adjudicate the rival claims of the two groups or recognise either of them. Point (iii) is answered against the appellant.

Point (iv)

45. It is well settled that an appellate court, in an appeal against an interim order passed in exercise of discretion, does not interfere merely because it may have taken a different view. Interference is warranted only where the discretion has been exercised arbitrarily, capriciously or perversely, or where the court has ignored the settled principles governing the grant of such orders. This was so laid down by the Hon'ble Supreme Court in *Wander Ltd. v. Antox India (P) Ltd.*⁴, at paragraph 14.

46. No such infirmity has been demonstrated. As discussed under Points (i) to (iii), the interim order was passed after notice and after hearing the authorities concerned; it is limited in time; it is subject to the further orders of the learned Single Judge on 29.10.2026; and it does not decide the dispute between the rival groups. The learned Single Judge has expressly recorded that the submissions of the writ petitioner require detailed examination, so that the matter remains open for final decision.

47. The stage of the election process is also a relevant circumstance. The election schedule was notified on 18.09.2026,

⁴ 1990 Supp SCC 727

symbols were allotted to twelve contesting unions on 26.09.2026, dummy ballot papers were communicated to them on 29.09.2026, and the election is scheduled for 09.10.2026. Interference with the interim order at this stage would disturb a process that is already well advanced. The rights and contentions of the appellant, both in the writ petition and in O.S.No.5495 of 2024, remain fully protected. Any grievance relating to the allotment of symbols is not the subject matter of this appeal and is not examined. Point (iv) is answered against the appellant.

CONCLUSION

48. In view of the foregoing discussion and findings on Points (i) to (iv), we find that the learned Single Judge exercised the discretionary jurisdiction in a manner which does not call for appellate interference. No arbitrariness, perversity or violation of the principles of natural justice has been demonstrated in the impugned interim order so as to warrant interference under Clause 15 of the Letters Patent.

49. Before parting with the matter, we make it clear that any observations made in the impugned order dated 18.09.2026, as well as those made in this order, are confined to the consideration of the interim relief, and shall not have any bearing on O.S.No.5495 of 2024 pending before the learned X Junior Civil

Judge, City Civil Court, Hyderabad, which shall be adjudicated independently, on its own merits and in accordance with law, uninfluenced by any such observations. Nor shall they be construed as an expression of opinion on the merits of W.P.No.31166 of 2026, or on the rival claims of the parties to represent the Union.

RESULT

50. In the result, the Writ Appeal is dismissed, with the following directions:

(i) The impugned interim order dated 18.09.2026 passed by the learned Single Judge in I.A.No.1 of 2026 in W.P.No.31166 of 2026 is not interfered with.

(ii) The observations made in the impugned order and in this order shall not have any bearing on O.S.No.5495 of 2024, the rival claims in which shall be decided on their own merits, in accordance with law.

(iii) The participation of Respondent No.1 in the election pursuant to the interim order shall not, by itself, be construed as a determination of its right to represent the Union, or as conferring any right upon the group represented by it.

(iv) The appellant is at liberty to place his objections before the learned Single Judge and to seek vacation or modification of the interim order, which shall be considered independently and in accordance with law.

(v) There shall be no order as to costs.

51. Miscellaneous petitions, if any pending, shall stand closed.

**SD/-MOHD.ISMAIL
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI NARESH KUMAR NEEMKAR, Advocate [OPUC]
2. One CC to SRI V.NARASIMHA GOUD, Advocate [OPUC]
3. One CC to SRI R.ANURAG, SC FOR TGSRTC [OPUC]
4. Two CCs to GP FOR LABOUR, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

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PB

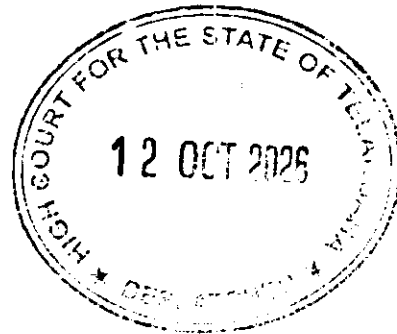
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HIGH COURT

DATED: 01/10/2026

JUDGMENT

WA.No.1072 of 2026



**DISMISSING THE WRIT APPEAL,
WITHOUT COSTS**

(8)
T.P.
08/10/26