

GAHC010000302026



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/29/2026

MS FLYNT WORKS
A PARTNERSHIP FIRM HAVING ITS REGD. OFFICE AT 3RD FLOOR, 303,
TEMPLE TOWER, SIKARIA COMPOUND, CHRISTIAN BASTI, G.S ROAD,
GUWAHATI-05,
REP. BY ITS MANAGING PARTNER MS. NANDINI SIKARIA, AGE 27, R/O-
SIKARIA COMPOUND,
CHRISTIAN BASTI, G.S ROAD, GUWAHATI-05, ASSAM

2: NANDINI SIKARIA
MANAGING PARTNER
M/S FLYNT WORKS
D/O- PRAMOD SIKARIA

R/O- SIKARIA COMPOUND

CHRISTIAN BASTI
G.S ROAD
GUWAHATI-05
ASSA

VERSUS

THE STATE OF ASSAM AND OTHERS
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM,
LEGISLATIVE DEPARTMENT, JANATA BHAWAN, E-BLOCK, DISPUR,
GUWAHATI-06, ASSAM

2: THE SECRETARY
ASSAM LEGISLATIVE ASSEMBLY

DISPUR
GUWAHATI-06
ASSAM

3:THE LABOUR COMMISSIONER
COMMISSIONERATE OF LABOUR
ASSAM
SHRAM BHAWAN
B.K KAKATI ROAD
ULUBARI
GUWAHATI-0

Advocate for the Petitioner : MR. S A HUSSAIN, G BORO,MR D J HALOI,MR S DAS

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

05.01.2026

Heard Mr. S Das, learned counsel for the petitioner as well as Ms. B Bora, learned counsel appearing on behalf of Mr. AK Bhuyan, learned Standing Counsel, Legislative Department for the respondent no.1 & 2 and Mr. N Goswami, learned government Advocate, for the respondent no. 3.

2. The petitioner before this court was engaged by the respondent no.2 pursuant to the work order vide Memo No.LAS/CCTV/2023/33/3166 dated 01.07.2024 for supply of manpower for CCTV operations and gate management within the premises of the Assam Legislative Assembly Secretariat. Thereafter, on 19-08-2025, the respondent No. 2 issued a communication raising certain issues purportedly based on the complaints by deployed personnel that the

petitioner has failed to pay the minimum wages to such personnel. While this matter was pending, the Labour Department had purportedly undertaken an enquiry in which the petitioner was not given an opportunity to participate and submitted the report on 05-12-2025. On the basis of this enquiry report, the impugned show-cause notice dated 19-12-2025 was issued, calling upon the petitioner to show cause within 7 (seven) working days from the date of receipt of the notice as to why the following should not be resorted to:

1. The contract awarded to your firm for supply of manpower to the Assam Legislative Assembly Secretariat should not be terminated forthwith for material breach of contract and violation of statutory provisions;
2. The amounts paid to your firm on account of statutory components, including provident Fund and wage components, which were either not paid or underpaid to the workers, should not be recovered from your firm as excess and fraudulent payment.
3. Pending bills, security deposit and/or performance security should not be withheld and/or forfeited; and
4. Further appropriate action, including blacklisting/debarment of your firm from future engagement with the Assam Legislative Assembly

Secretariat, should not be initiated.

3. Learned counsel for the Petitioner submits that the show-cause notice was served to the petitioner by way of an e-mail which the petitioner claims to have received on 29-12-2025. It is the submission of the learned counsel for the Petitioner that the show-cause notice does not disclose any reasons other than the report dated 05-12-2025 submitted by the Assistant Labour Commissioner, Guwahati, as the sole basis for issuance of the impugned show-cause notice. It is further submitted that the copy of the said report has not been furnished to the petitioner. He, therefore, seeks urgent orders from this Court as the period of seven days expires today.

4. Ms. B Bora, learned counsel representing the respondents no.1 & 2 submits that the matter is listed today in the production list upon permission granted by the Court, and the copy of the writ petition has been provided to her only in the morning. She, therefore, prays for some time to complete her instructions.

5. Upon consideration of the submissions of the learned counsel for the petitioner and upon perusal of the averments made in the writ petition, it appears before the Court that the impugned show-cause notice dated 19.12.2025 is premised on the report dated 05.12.2025 submitted by the

Assistant Labour Commissioner, Guwahati, the detailed particulars of which are not reflected in the show-cause notice. It is also the claim of the petitioner that the said report has not been served on the petitioner along with the show-cause notice and therefore, he was unable to file an effective reply.

6. Accordingly, this Court is of the opinion that the respondents will now serve a copy of the report of the Assistant Labour Commissioner, Guwahati on the writ petitioner within 2 (two) working days from today and thereafter the petitioner will be permitted to file his reply to the show-cause notice by granting adequate opportunity. Accordingly, this Court considers it appropriate to extend the time for filing the reply to the show-cause is extended by further 2 (two) weeks' from today.

7. Let this matter be listed again on 22.01.2026.

8. A copy of this order be marked to the Office of the learned Standing Counsel, Legislative Assembly for onward communication.

9. Although notice at this stage is not issued, sufficient extra copies of the writ petition be furnished to the learned counsel for the respondents within the course of the day.

10. Names of the respondents counsel including Mr. A. K. Bhuyan, learned Standing Counsel, Assam Legislative Assembly, be reflected in the cause list by

the Registry on the next day fixed.

JUDGE

Comparing Assistant