

GAHC010036952025



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

Case No. : WP(C)/1248/2025

ZENITH CAREER ACADEMY, NGO AND ANR.
REPRESENTED BY ITS SECRETARY SHRIMATI BARNALI DAS, HAVING ITS
OFFICE AT HOUSE NO 35, NATUN SARANIA - GANDHI BASTI, SILPUKHURI,
GUWAHATI, KAMRUP(M), ASSAM

2: BARNALI DAS
W/O- SRI HARA KUMAR KALITA

R/O- HOUSE NO.- 35
NATUN SARANIA
GANDHI BASTI

P.O.- SILPUKHURI
P.S.- CHANDMARI

DISTRICT- KAMRUP(M)
PIN- 781003 (ASSAM)

VERSUS

THE UNION OF INDIA AND 6 ORS.
REPRESENTED BY THE SECRETARY MINISTRY OF LABOUR AND
EMPLOYMENT, DIRECTORATE GENERAL OF EMPLOYMENT AND
TRAINING, GOVERNMENT OF INDIA NEW DELHI.

2:THE STATE OF ASSAM
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT
OF ASSAM

DEPARTMENT OF LABOUR AND EMPLOYMENT

GUWAHATI
DISPUR
ASSAM

PIN- 781006.

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF LABOUR AND EMPLOYMENT
GUWAHATI
DISPUR
ASSAM
PIN- 781006.

4:THE DEPUTY SECRETARY TO THE GOVT. OF ASSAM
SKILLED
EMPLOYMENT AND ENTERPRENEURSHIP DEPTT.
GUWAHATI
DISPUR
ASSAM
PIN- 781006.

5:THE DIRECTOR
EMPLOYMENT AND CRAFTSMAN TRAINING
REHABARI
GUWAHATI
DISTRICT- KAMRUP(M)
ASSAM
PIN- 781008.

6:THE JOINT DIRECTOR OF CRAFTSMAN TRAINING
DIRECTORATE OF EMPLOYMENT AND CRAFTSMAN TRAINING
ASSAM

REHABARI
GUWAHATI-08.

7:THE DEPARTMENT OF FINANCE
REPRESENTED BY THE PRINCIPAL SECRETARY

GUWAHATI
DISPUR- 781006

For the Petitioner(s) : Mr. A. Ahmed, Advocate

For the Respondent(s) : Mr. R.K.D. Choudhury, Dy.SGI
Mr. S.P. Das, Advocate

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 01.12.2025

Heard Mr. A. Ahmed, the learned counsel appearing on behalf of the petitioners. Mr. R.K.D. Choudhury, the learned Dy.SGI appears on behalf of the Union of India and Mr. S.P. Das, the learned counsel appears on behalf of the respondent Nos. 2, 4, 5 and 6.

2. This is the second round of litigation whereby the petitioners had to again approach this Court in spite of their being a categorical direction passed by this Court on 02.09.2021 in WP(C) No. 5611/2020 that the respondent No. 5 who is the Director of Employment and Craftsmen Training shall verify, as to whether, the petitioners are entitled to an amount of Rs. 29,43,930/- and if so, then to make such payment to the amount, the petitioners are entitled to. The relevant paragraph of the said order dated 02.09.2021 passed in WP(C) No. 5611/2020 is reproduced herein under:

“Upon consideration of the submissions made by the learned counsel and on perusal of the writ petition and being satisfied in respect of the analogous nature of the present writ petition with WP(C)/4709/2020, I am satisfied to dispose of this writ petition with a direction to the respondent No. 5 to verify the claim made by the petitioner in this writ petition and if after verification, the petitioner is found entitled to the amount claimed in this writ petition to the

extent of Rs. 29,43,930/- necessary steps shall be taken by the respondent No. 5 for release of the said amount or any other amount if due to the petitioner. The entire exercise shall be carried out and completed preferably within a period of three months from the date of receipt of the certified copy of this order."

3. The petitioners thereupon requested the Respondent Authorities to abide by such directions, however, the Respondent Authorities did not take any steps and as the petitioners did not receive any amount, the petitioners had to again approach this Court by filing the present writ petition.

4. It is seen that pursuant to issuance of notice by this Court on 02.06.2025, the respondent Nos. 2, 4, 5 and 6 had filed an affidavit through the Joint Director (i/c), Craftsmen Training in the Office of Directorate of Employment & Craftsmen Training, Assam. In the said affidavit, it has been categorically admitted that the petitioners are entitled to an amount of Rs. 26,74,815/-. The said amount arrived at is after carrying out necessary verification. It is also mentioned in the said affidavit that on account of the Government of India withdrawing the Scheme, the Respondent Authorities are not in a position to make the payment. On the other hand, the materials on record suggest otherwise inasmuch as at paragraph No. 6, there is a categorical statement that payments were made by placing the persons who are entitled to the amount in a chronological list.

5. Considering the facts that the directions passed by this Court dated 02.09.2021 passed in WP(C) No. 5611/2020 has not been complied with in spite of arriving at a conclusion that the petitioners are entitled to an amount of Rs. 26,74,815/-, this Court fixes the matter again on 15.12.2025. On the said date, the respondent No. 5 herein shall provide the Head of Account of the Directorate of Employment and Craftsmen Training so that appropriate directions can be passed.

JUDGE

Comparing Assistant