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

Case No. : CRP(IO)/148/2026

THE COMMISSIONER AND SECRETARY, GOVERNMENT OF ASSAM,
INDUSTRIES AND COMMERCE DEPARTMENT AND ANR
REPRESENTED BY ITS AUTHORIZED REPRESENTATIVE, DISPUR,
GUWAHATI-781006, DIST- KAMRUP (M), ASSAM

2: ASSAM INDUSTRIAL INFRASTRUCTURE DEVELOPMENT
CORPORATION
REPRESENTED BY ITS AUTHORIZED REPRESENTATIVE MS. RISHIKA
BARUAH
DY. GENERAL MANAGER (AIIDC)
OFFICE OF THE ASSAM INDUSTRIAL CORPORATION LTD.
INDUSTRIAL ESTATE
BY LANE NO. 3
BAMUNIMAIDAM
GUWAHATI-21
KAMRUP (M)
ASSA

VERSUS

THE PRESIDING OFFICER, LABOUR COURT AND 2 ORS.
OFFICE OF THE LABOUR COURT, D.C. OFFICE BUILDING, LICHUBAGAN,
HENGRABARI, GUWAHATI-781036, DIST- KAMRUP (M), ASSAM.

2:ASSAM SPUN SILK MILLS WORKERS UNION
JAGIROAD
DIST- MORIGAON
PIN- 782410
ASSAM

3:THE GENERAL SECRETARY
ASSAM SPUN SILK MILLS WORKERS UNION
JAGIROAD
DIST- MORIGAON

PIN-782410
ASSA

Advocate for the Petitioner : MR. S CHAMARIA, MOMI KALITA, MR N M DEKA, MR M M ZAMAN

Advocate for the Respondent : ,

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

27.04.2026

Heard Mr. S. Chamaria, learned counsel for the petitioners.

2. In this petition, under Article 227 of the Constitution of India, the petitioners have challenged the Order, dated 09.02.2026, passed by the learned Presiding Officer, Labour Court, Guwahati, Assam, in Misc. Case No. 03/2008.

3. It appears that Mr. Chamaria, learned counsel for the petitioner, has impleaded the Presiding Officer, Labour Court, Guwahati, Assam, as respondent No. 1 and indisputedly and admittedly, he is a Judicial Officer and in view of the decision of the Hon'ble Supreme Court in the case of **Savitri Devi Vs. District Judge, Gorakhpur And Ors.**, reported in (1999) 2 SCC 577, a Judicial Officer cannot be impleaded as a party in a proceeding. And in that view of the matter, arraying of the Presiding Officer, Labour Court, Guwahati, Assam, as a party in the proceeding, is contrary to the decision of the Hon'ble Supreme Court, in the decision of **Savitri Devi (Supra)**.

4. Accordingly, it is provided that the name of the respondent No. 1 be struck off from the array of this petition. And in that view of the matter, the petitioner shall file amended cause title in this petition, before the next date.

5. List this matter on **04.05.2026.**

JUDGE

Comparing Assistant