

GAHC010052742026



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

Case No. : WP(C)/1507/2026

SMT. POLLY KOCH
D/O LATE PHANIDHAR KOCH, R/O JAPORIGOG, P.O.- DISPUR, P.S.- DISPUR,
DIST- KAMRUP (M), PIN-781005, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT OF ASSAM,
LABOUR WELFARE DEPARTMENT, DISPUR, GUWAHATI-781006, ASSAM

2:THE SECRETARY TO THE GOVERNMENT OF ASSAM
LABOUR WELFARE DEPARTMENT
DISPUR
GUWAHATI-781006
ASSAM

3:THE PRESIDING OFFICER (I/C)
INDUSTRIAL TRIBUNAL
DIBRUGARH
PIN-786001
DIBRUGARH
ASSAM

4:THE PRESIDING OFFICER
LABOUR COURT
GUWAHATI
PIN-781001
GUWAHATI
ASSAM

5:BIDYUT KUMAR DAS
REGISTRAR

INDUSTRIAL TRIBUNAL
DIBRUGARH
DIST- DIBRUGARH
ASSAM
PIN-78600

Advocate for the Petitioner : MR. M K CHOUDHURY, MR. R BORPATRA,MR. M SARMA

Advocate for the Respondent : GA, ASSAM, MS. D SARMAH(R5),MS. I DAS(R5),MR. P SENGUPTA(R5),MR. SURAJIT DUTTA(R5)

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

01.04.2026

Heard Mr. M. K. Choudhury, learned Senior Counsel assisted by Mr. M. Sarma, learned counsel for the petitioner, also heard Mr. T. C. Chutia, learned Additional Senior Government Advocate appears for the Respondent Nos. 1, 2, 3 and 4; Mr. S. Dutta, learned Senior Counsel assisted by Mr. P. Sengupta, learned counsel appears for the Respondent No. 5.

2. The dispute between the petitioner and the private respondent No. 5 has arisen in respect of the transfer order issued by the Department, whereby the petitioner has been posted as Registrar in Industrial Tribunal, Dibrugarh in place of Respondent No. 5, and the Respondent No. 5 has been transferred to the earlier place of posting of the writ petitioner.

3. The impugned order of transfer was issued on 11.03.2026, purportedly, in compliance of order dated 02.12.2025, passed in WP(C) No. 3585 of 2025 read with the order dated 18.12.2025 passed in W.A. No. 409 of 2025.

4. The learned counsel for the petitioner submits that she has not handed over charges as on date. He further submits that the claim of the private

respondent regarding handing over charge is not correct, as it is submitted that from the information made available to the petitioner that the Presiding Officer of Industrial Tribunal, Dibrugarh has informed that Respondent No. 5 has not handed over charge.

5. Under such circumstances this Court would like to issue notice at this stage, making it returnable on 04.05.2026.

6. Since the respondents are represented, notices are waived.

7. However, extra copies be furnished within a period of 2 weeks from today.

8. The Respondents, more particularly, the learned counsel for the State Respondent will complete their instructions and examine the case of the Respondent if their grievances can be ameliorated by the Department as both the petitioner and the private respondent No. 5 has expressed their personal difficulties in respect of the transfer order issued to them.

9. Till the next returnable date, no coercive action shall be taken against the writ petitioner.

10. Accordingly, list this matter again on 04.05.2026.

JUDGE

Comparing Assistant