

GAHC010061352025



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

Case No. : WP(C)/1635/2025

SUBRATA KUMAR PAL
SON OF LATE OM PRAKASH PAL, SR. MANAGER (ELECTRICAL),
RESIDENT OF QUARTER NO C04/03, BCPL TOWNSHIP, P.O. AND P.S.
BARBARUAH, DIST.- DIBRUGARH, ASSAM, PIN- 786007.

VERSUS

THE UNION OF INDIA AND 5 ORS
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA,
DEPARTMENT OF PETROLEUM AND NATURAL GAS, MINISTRY OF
PETROLEUM AND NATURAL GAS, SHASTRI BHAWAN, NEW DELHI-110001.

2:THE BRAHMAPUTRA CRACKER AND POLYMER LIMITED
(A GOVERNMENT OF INDIA ENTERPRISE)
REPRESENTED BY ITS GENERAL MANAGER (HR)
CHAIRMAN AND MANAGING DIRECTOR
P.O. LEPETKATA
P.S. BARBARUAH
DIST.- DIBRUGARH
ASSAM
PIN- 786006.

3:THE GENERAL MANAGER (H.R.)

MR. SITANGSHU PAUL
THE BRAHMAPUTRA CRACKER AND POLYMER LIMITED (A
GOVERNMENT OF INDIA ENTERPRISE)
ADMINISTRATIVE BUILDING LEPETKATA
P.S. BARBARUAH
DIST.- DIBRUGARH
ASSAM
PIN- 786006.

4:JAMIL AKHTAR

DEPUTY GENERAL MANAGER (REVIEWING OFFICER) QUARTER NO. C-05/06 BRAHMAPUTRA CRACKER AND POLYMER TOWNSHIP
POST OFFICE-BARBARUAH
DIST.- DIBRUGARH
PIN- 786007.

5:ALAK BARUAH

CHIEF GENERAL MANAGER (INTERVENING REVIEWING OFFICER)
QUARTER NO. D-02
BRAHMAPUTRA CRACKER AND POLYMER TOWNSHIP
P.O. BARBARUAH
DIST.- DIBRUGARH
PIN- 786007.

6:JOYONTO PANGING

CHIEF OPERATING OFFICER (ACCEPTING OFFICER) QUARTER NO. D-04
BRAHMAPUTRA CRACKER AND POLYMER TOWNSHIP
P.O. BARBARUAH
DIST.-DIBRUGARH
PIN- 786007

Advocate for the Petitioner : MR SISHIR DUTTA, MR S DUTTA,MS K BORAH,MS S MOCHAHARI

Advocate for the Respondent : DY.S.G.I., MS M HAZARIKA(R-2 TO 6),MR. R. RAMEEZ(R-2 TO 6),MR. S MITRA(R-2 TO 6),MR A K BORO (R-2 TO 6)

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 21-03-2025

Heard Mr. S. Dutta, learned Sr. counsel assisted by Mr. S. Dutta, learned counsel for the writ petitioner. Also heard Mr. C.K.S. Baruah, learned CGC appearing for the respondent No. 1. Ms. M. Hazarika, learned Sr. counsel assisted by Mr. S. Mitra, learned counsel has appeared on behalf of respondent Nos. 2 to 6.

The grievance of the writ petitioner, reduced to its essence, is pertaining to the alleged discriminatory treatment meted out to him by the Brahmaputra Cracker & Polymer Ltd. (BCPL) authorities whereby by his ACR grading had been unfairly downgraded from 'outstanding' to 'very good' with the sole objective of denying him the benefit of promotion from E-4 to E-5 grade.

The petitioner is also aggrieved due to non-consideration/ rejection of his representation to review the ACR grading without furnishing proper justification.

The learned Sr. counsel for the petitioner has prayed for an interim order staying further process of the DPC which is under progress.

Ms. M. Hazarika, learned Sr. counsel appearing for the respondent Nos. 2 to 6 prays for time till 09-04-2025 so as to enable her to obtain preliminary written instruction addressing the issues raised in the writ petition with a further prayer not to pass any interim order till then.

Taking note of the submission of learned counsel for the parties, this writ petition is directed to be listed again on 09-04-2025 for motion, as a fixed item.

Two extra copies of the writ petition be furnished to Mr. Mitra during the course of the day so as to enable him to obtain instruction.

JUDGE

GS

Comparing Assistant