

GAHC010074962026



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

**Case No. : CRP(IO)/137/2026**

AMRAWATI TEA COMPANY LIMITED  
ASPIRATIONS ACCENT, 6TH FLOOR, 133A, S.P. MUKHERJEE ROAD,  
KOLKATA- 700026, 15 INDIA EXCHANGE PLACE, KOLKATA- 700001

VERSUS

AGARWAL TEA COMPANY AND 8 ORS.  
HEAD OFFICE AT MARWARIPATTY, JORHAT, ASSAM

2:ON THE DEATH OF SAIENDRA KR. SAIKIA  
HIS LEGAL HEIRS  
NAMELY

2.1:SMTI. ARUNA SAIKIA  
W/O LT. SAIENDRA KUMAR SAIKIA  
BUNGLOW  
DULIAJAN TEA ESTATE  
P.O.- KHOWANG  
DIST- DIBRUGARH  
ASSAM

2.2:SMTI. LIPIKA SAIKIA  
D/O LT. SAIENDRA KUMAR SAIKIA  
BUNGLOW  
DULIAJAN TEA ESTATE  
P.O.- KHOWANG  
DIST- DIBRUGARH  
ASSAM

2.3:SMTI. TULIKA SAIKIA  
D/O LT. SAIENDRA KUMAR SAIKIA  
BUNGLOW  
DULIAJAN TEA ESTATE  
P.O.- KHOWANG

DIST- DIBRUGARH  
ASSAM

3:SARAT CH. SAIKIA  
S/O LALIT CH. SAIKIA  
KHOWANG VILLAGE  
P.O.- KHOWANGGHAT  
P.S.- KHOWANG  
DIST- DIBRUGARH  
ASSAM

4:ON THE DEATH OF VIJAN SAIKIA  
HIS LEGAL HEIRS  
NAMELY

4.1:SMTI. ANUPAMA SAIKIA  
W/O LATE VIJAN SAIKIA  
KHUSHAL NAGAR  
MORAN  
DIST- DIBRUGARH  
ASSAM

4.2:MISS NIMISA SAIKIA  
D/O LATE VIJAN SAIKIA  
KHUSHAL NAGAR  
MORAN  
DIST- DIBRUGARH  
ASSAM

4.3:VARDAAN SAIKIA  
W/O LATE VIJAN SAIKIA  
KHUSHAL NAGAR  
MORAN  
DIST- DIBRUGARH  
ASSAM

5:PRASANTA SAIKIA  
S/O LATE LALIT CHANDRA SAIKIA  
C/O SHRI L.N. BHARALI  
TILOY GRAMYA BAZAR  
P.O.- TILOI  
DIST- DIBRUGARH  
ASSAM

6:KAKOLI SAIKIA  
W/O LT. NIRANJAN SAIKIA  
BUNGLOW  
DULIAJAN TEA ESTATE

P.O.- KHOWANG  
DIST- DIBRUGARH  
ASSAM

7:ON THE DEATH OF KUMBHA KANTA SAIKIA  
HIS LEGAL HEIRS  
NAMELY

7.1:SMTI. HIRANYA SAIKIA  
W/O LT. KUMBHA KANTA SAIKIA  
R/O MANCOTTA ROAD  
CHOWKIDINGHEE  
P.O.- DIBRUGARH  
DIST- DIBRUGARH  
ASSAM

7.2:SMTI. BITHI SAIKIA  
D/O LT. KUMBHA KANTA SAIKIA  
W/O DR. TAPAN SAIKIA  
R/O PRINCE ALI KHAN HOSPITAL  
NESBIT ROAD  
MAZAGAON  
MUMBAI-400107

7.3:SMTI GITI NIJAN  
D/O LT. KUMBHA KANTA SAIKIA  
R/O MANCOTTA ROAD  
CHOWKIDINGHEE  
P.O.- DIBRUGARH  
ASSAM

8:ATANU SAIKIA  
S/O KUMBHA KANTA SAIKIA  
R/O MANCOTTA ROAD  
CHOWKIDINGHEE  
P.O.- DIBRUGARH  
ASSAM

9:EASTERN TEA BROKERS PVT. LTD.  
HAVING ITS REGD. OFFICE AT 191  
MANIRAM DEWAN PATH  
GHY-3  
ASSA

**Advocate for the Petitioner** : MR SISHIR DUTTA, MR. S SHOME,S PAUL,MR. SIDHANT DUTTA,MS S MOCHAHARI

**Advocate for the Respondent** : ,

**BEFORE  
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**24.04.2026**

Heard Mr. S. Dutta, learned counsel for the petitioner.

**2.** In this petition, under Article 227 of the Constitution of India, the petitioner has challenged the order dated 22.12.2025, passed by the learned Civil Judge (Senior Division), Dibrugarh, in Title Suit No. 03/2026, filed by the respondent No. 1 herein.

**3.** It is to be noted here that vide impugned order dated 22.12.2025, the learned trial court has transferred the aforementioned title suit to the Commercial Courts at Dibrugarh, under Section 15(2) of the Commercial Courts Act, 2015.

**4.** Mr. Dutta, learned counsel for the petitioner submits that the dispute between the parties does not fall in the definition of commercial dispute, as described in Section 2(1)(C) of the Commercial Courts Act, 2015 and as such, the impugned order dated 22.12.2025, transferring the title suit to the Commercial Courts at Dibrugarh is illegal and arbitrary.

**5.** The submission of Mr. Dutta, learned counsel for the petitioner, needs further consideration.

**6.** At this stage, let notice be issued to the respondents, within a week from today, returnable in 4 weeks, by speed post with A/D and also by usual process.

**7.** Registry shall call for the scanned copy of the records from the learned

trial court.

- 8.** List the matter after 4 (four) weeks.
- 9.** The interim prayer of the petitioner will be considered on the next returnable date.

**JUDGE**

**Comparing Assistant**