

GAHC010057072021



undefined

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

Case No. : WP(C)/2136/2021

SATKHOHAU CHANGSAN
S/O LATE KAIKHOLUN CHANGSAN,
RESIDENCE OF VILLAGE LASANG
PO AND PS MAHUR, DIST DIMA HASAO. ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY, GOVT. OF
ASSAM, SOIL CONSERVATION DEPARTMENT, DISPUR, GUWAHATI 06

2:THE COMMISSIONER AND SECRETARY
FINANCE DEPARTMENT DISPUR
GUWAHATI 06

3:DIRECTOR OF SOIL CONSERVATION
ASSAM
BHUMI SANGRAKSHAN BHAWAN
1ST FLOOR
R.G. BARUA ROAD
GUWAHATI ASSAM 781005

4:ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LIMITED
OPPOSITE SARUSAJAI NATIONAL COMPLEX SAWKUCHI
NH 37
LAKHARA
GUWAHATI 781034 ASSAM REPRESENTED BY ITS MANAGING DIRECTOR

5:THE MANAGING DIRECTOR
ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LIMITED
OPPOSITE SARUSAJAI NATIONAL COMPLEX SAWKUCHI

NH 37
LAKHARA
GUWAHATI 781034 ASSA

Advocate for the Petitioner : MR. A BHATTACHARYYA, MR P S RAJA

Advocate for the Respondent : SC, SOIL CONSERVATION DEPTT., SC, FINANCE

Linked Case : WP(C)/3596/2021

KANAM TERANGPI AND 2 ORS.
D/O LATE RANJIT TERANG
RESIDENT OF VILLAGE SARTHE TISSO

PO KAT TERON
PS RONGMONGVE
DIST KARBI ANGLONG
ASSAM

2: SMTI KADOM SINGNARPI
DAUGHTER IN LAW OF LATE RANJIT TERANG
RESIDENT OF VILLAGE SARTHE TISSO

PO KAT TERON
PS RONGMONGVE
DIST KARBI ANGLONG
ASSAM

3: SRI MUKRANG TERANG
GRAND SON OF LATE RANJIT TERANG
RESIDENT OF VILLAGE SARTHE TISSO

PO KAT TERON
PS RONGMONGVE
DIST KARBI ANGLONG
ASSAM

THE PETITIONER BEING MINOR IS REPRESENTED BY HER MOTHER PET.
NO. 02
VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF
ASSAM

SOILCONSERVATION DEPARTMENT
DISPUR GUWAHATI 06

2:THE COMMISSIONER AND SECRETARY

FINANCE DEPARTMENT
DISPUR
GUWAHATI 06

3:DIRECTOR OF SOIL CONSERVATION

ASSAM BHUMI SANGRAKSHAN BHAWAN
FIRST FLOOR
R.G BARUA ROAD
GUWAHATI 781005

4:ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LTD

OPP. SARUSAJAI NATIONAL COMPLEX
SAWKUCHI NATIONAL HIGHWAY 37
LAKHARA
GUWAHATI 781034
ASSAM REPRESENTED BY ITS MANAGING DIRECTOR

5:THE MANAGING DIRECTOR
ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LIMITED
OPP. SARUSAJAI NATIONAL COMPLEX
SAWKUCHI NATIONAL HIGHWAY 37
LAKHARA
GUWAHATI 781034
ASSAM

Advocate for : MR. A BHATTACHARYYA
Advocate for : SC
SOIL CONSERVATION DEPTT. appearing for THE STATE OF ASSAM AND 4
ORS.

Linked Case : WP(C)/3389/2021

CHUNGKHOSIEM LIENTHANG
S/O LATE LATE TONKHOJAM LIENTHANG
RESIDENT OF MAHUR
PO AND PS MAHUR
DIST DIMA HASAO ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY
GOVT. OF ASSAM
SOIL CONSERVATION DEPARTMENT
DISPUR
GUWAHATI 06

2:THE COMMISSIONER AND SECRETARY
FINANCE DEPARTMENT DISPUR
GUWAHATI 06

3:DIRECTOR OF SOIL CONSERVATION
ASSAM
BHUMI SANGRAKSHAN BHAWAN
1ST FLOOR
R.G. BARUA ROAD
GUWAHATI ASSAM 781005

4:ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LIMITED
OPPOSITE SARUSAJAI NATIONAL COMPLEX SAWKUCHI
NH 37
LAKHARA
GUWAHATI 781034 ASSAM REPRESENTED BY ITS MANAGING DIRECTOR

5:THE MANAGING DIRECTOR
ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LIMITED

OPPOSITE SARUSAJAI NATIONAL COMPLEX SAWKUCHI
NH 37
LAKHARA
GUWAHATI 781034 ASSAM

Advocate for : MR. A BHATTACHARYYA

Advocate for : SC

SOIL CONSERVATION DEPTT. appearing for THE STATE OF ASSAM AND 4
ORS.

Linked Case : WP(C)/4152/2023

BORSING TERANG
S/O- LATE PONDIT TERANG
R/O- VILL.- HIDILANGSO
P.O. AND P.S. DIPHU
DIST. KARBI ANGLONG

ASSAM
PIN- 782460.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY
GOVT. OF ASSAM
SOIL CONSERVATION DEPARTMENT
DISPUR
GUWAHATI-6.

2:FINANCE DEPARTMENT

REPRESENTED BY THE COMMISSIONER AND SECRETARY
GOVERNMENT OF ASSAM
DISPUR
GUWAHATI-6.

3:THE DIRECTOR OF SOIL CONSERVATION

ASSAM BHUMI SANGRAKSHAN BHAWAN
1ST FLOOR
R.G. BARUA ROAD
GUWAHATI
ASSAM
PIN- 781005.

4:THE ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LTD.

OPPOSITE SARUSAJAI NATIONAL COMPLEX
SAWKUCHI
NATIONAL HIGHWAY-37
LAKHARA
GUWAHATI-781034
ASSAM
REPRESENTED BY ITS MANAGING DIRECTOR.

5:THE MANAGING DIRECTOR

ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LTD.
OPPOSITE SARUSAJAI NATIONAL COMPLEX
SAWKUCHI
NATIONAL HIGHWAY-37
LAKHARA
GUWAHATI-781034
ASSAM

Advocate for : MR. A BHATTACHARYYA

Advocate for : SC

SOIL CONSERVATION DEPTT. appearing for THE STATE OF ASSAM AND 4
ORS

Linked Case : WP(C)/5080/2021

BINA TERONPI AND 4 ORS.

W/O- LT. HEMARI PHANGSO @ LT. HEMARI PHANGCHO

R/O- VILL- BORGAON

P.O. BORGAON

P.S. BAITHALANGSO

DIST.- WEST KARBI ANGLONG

ASSAM

2: SAR-IN PHANGCHO

S/O- LT. HEMARI PHANGSO @ LT. HEMARI PHANGCHO

R/O- VILL- BORGAON

P.O. BORGAON

P.S. BAITHALANGSO

DIST.- WEST KARBI ANGLONG

ASSAM

3: KARENG PHANGCHOPI

D/O- LT. HEMARI PHANGSO @ LT. HEMARI PHANGCHO

R/O- VILL- BORGAON

P.O. BORGAON

P.S. BAITHALANGSO

DIST.- WEST KARBI ANGLONG

ASSAM

4: GITA PHANGCHOPI

D/O- LT. HEMARI PHANGSO @ LT. HEMARI PHANGCHO

R/O- VILL- BORGAON

P.O. BORGAON

P.S. BAITHALANGSO

DIST.- WEST KARBI ANGLONG

ASSAM

5: BABU PHANGCHO

S/O- LT. HEMARI PHANGSO @ LT. HEMARI PHANGCHO

R/O- VILL- BORGAON

P.O. BORGAON

P.S. BAITHALANGSO

DIST.- WEST KARBI ANGLONG

ASSAM
VERSUS

THE STATE OF ASSAM AND 4 ORS.
REP. BY THE COMM. AND SECY.
GOVT. OF ASSAM
SOIL CONSERVATION DEPTT.
DISPUR
GHY-6

2:THE COMM. AND SECY.
FINANCE DEPTT.
DISPUR
GHY-6

3:DIRECTOR OF SOIL CONSERVATION
ASSAM BHUMI SANGRAKSHAN BHAWAN
1ST FLOOR
R.G.BARUA ROAD
GHY
ASSAM- 781005

4:ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LTD.
OPP. SARUSAJAI NATIONAL COMPLEX
SAWKUCHI
NATIONAL HIGHWAY-37
LAKHARA
GHY-34
ASSAM
REP. BY ITS MANAGING DIRECTOR

5:MANAGING DIRECTOR
ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LTD.
OPP. SARUSAJAI NATIONAL COMPLEX
SAWKUCHI
NATIONAL HIGHWAY-37
LAKHARA
GHY-34
ASSAM

Advocate for : MR. A BHATTACHARYYA
Advocate for : SC
SOIL CONSERVATION DEPTT. appearing for THE STATE OF ASSAM AND 4
ORS.

SULENG HANSE
SON OF LATE HEMAI HANSE

RESIDENT OF VILLAGE- SEMTARU GAON

P.O.- DOKMOKA
P.S.- DOKMOKA

DISTRICT- EAST KARBI ANGLONG
ASSAM.

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY

GOVERNMENT OF ASSAM

SOIL CONSERVATION DEPARTMENT

DISPUR
GUWAHATI-06.

2:FINANCE DEPARTMENT
REPRESENTED BY THE COMMISSIONER AND SECRETARY

GOVERNMENT OF ASSAM

DISPUR
GUWAHATI-6.

3:THE DIRECTOR OF SOIL CONSERVATION
ASSAM
BHUMI SANGRAKSHAN BHAWAN

1ST FLOOR
R.G. BARUA ROAD

GUWAHATI
ASSAM- 781005.

4:THE ASSAM PLANTATION CORPS DEVELOPMENT CORPORATION LTD.
OPPOSITE SARUSAJAI NATIONAL COMPLEX

SAWKUCHI
NATIONAL HIGHWAY- 37

LAKHARA
GUWAHATI- 781034
ASSAM

REPRESENTED BY ITS MANAGING DIRECTOR.

5:THE MANAGING DIRECTOR
ASSAM PLANTATION CORPS DEVELOPMENT CORPORATION LTD.
OPPOSITE SARUSAJAI NATIONAL COMPLEX

SAWKUCHI
NATIONAL HIGHWAY-37

LAKHARA
GUWAHATI- 781034

ASSAM.

Advocate for : MR B BORA

Advocate for : SC

SOIL CONSERVATION DEPTT. appearing for THE STATE OF ASSAM AND 4
ORS

Linked Case : WP(C)/1822/2025

SMTI USHA DAS
WIFE OF LATE PARESH CHANDRA DAS ALIAS PARESH CH DAS RESIDENT
OF HNO 64
KRISHNA NAGAR
DISPUR
GUWAHATI 5 KAMRUP METRO
ASSAM

VERSUS

THE STATE OF ASSAM AND ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY GOVERNMENT
OF ASSAM
SOIL CONSERVATION DEPARTMENT
DISPUR
GUWAHATI 6

2:THE COMMISSIONER AND SECRETARY

FINANCE DEPARTMENT
DISPUR
GUWAHATI 6

3:DIRECTOR OF SOIL CONSERVATION
ASSAM BHUMI SANGRAKSHAN BHAWAN
1ST FLOOR
RG BARUA ROAD
GUWAHATI
ASSAM

4:ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LTD
OPPOSITE SARUSAJAI NATIONAL COMPLEX
SAWKUCHI
NATIONAL HIGHWAY-37
LAKHARA
GUWAHATI 781034 ASSAM
REPRESENTED BY ITS MANAGING DIRECTOR

5:MANAGING DIRECTOR
ASSAM PLANTATION CROPS DEVELOPMENT CORPORATION LTD
OPPOSITE SARUSAJAI NATIONAL COMPLEX
SAWKUCHI
NATIONAL HIGHWAY
LAKHARA
GUWAHATI 78134 ASSAM

Advocate for : MR P S RAJA

Advocate for : SC

SOIL CONSERVATION DEPTT. appearing for THE STATE OF ASSAM AND ORS

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

21-07-2025

Heard Mr. PS Raja, learned counsel for the petitioners. Also heard Mr. SR Rabha, learned Standing Counsel, Soil Conservation Department.

It is submitted that the issues involved in the writ petitions are similar and

therefore, this writ petitions be being taken up together.

The issue raised in these writ petitions relate to the former employees of the Assam Plantation Corps Development Corporation Limited, who were employed in various positions during their tenure of service in Corporation. Subsequently, they superannuated from their services. They superannuated between 2014 and 2021 on various dates. It is submitted that in spite of the employees having superannuated, they did not receive their retiral benefits and leave encashment. The learned counsel for the petitioners submits that despite the petitioners having approached the respondents authorities, their retiral dues have not been released. In some of these writ petitions, the respondent/ Soil Conservation Department has filed affidavit where there is an averment that the claims of the writ petitioners have been prepared for inclusion in the supplementary budget for the financial year 2023-24. These demands have to be made because Corporation is presently suffering from the acute financial hardship and therefore, additional funds have been sought for from the Government.

Mr. SR Rabha, learned Standing Counsel, Soil Conservation Department submits that fresh proposal for raising the demands in respect of the claims made by the petitioners have been raised, however, the present status of the

proposal, sent by the Department, is not known to him. Accordingly, he prays for further 3 (three) weeks time to complete his instructions.

Let this instructions be placed before the Court by the next returnable date.

The respondents will endeavour to pay all dues payable to the petitioners as per Rules, as expeditiously as possible, failing which the Court may consider of passing consequential orders.

List these matters on 22.08.2025.

JUDGE

Comparing Assistant