

GAHC010150542022



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

Case No. : I.A.(CrI.)/410/2022

ADITYA SONOWAL AND 17 ORS.
S/O LATE MULA RAM SONOWAL, R/O GORAJAN, P.O.-GORAJAN-785631,
DIST-JORHAT, ASSAM

2: SRI BIREN DAS
SON OF SRI RAM CHANDRA DAS
RESIDENT OF BALIJAN

P.O.- BEKAJAN

P.S.- BORHULA

DISTRICT- JORHAT
ASSAM

3: SRI HARDUGAN TOPNA

SON OF LATE PRAKASH TOPNA
RESIDENT OF GORAJAN GAON

P.O.- BORHULA

P.S.- BORHULA

DISTRICT JORHAT
ASSAM.

4: SRI SIDANANDA SONOWAL

SON OF LATE BABULA SONOWAL
RESIDENT OF GORAJAN GAON

P.O.- BORHULA

P.S. - BORHULA

DISTRICT JORHAT
ASSAM

5: SRI BASANTA SAIKIA

SON OF SRI SARU RAM SAIKIA
RESIDENT OF BORANA GAON
TITABAR

P.O. - TITABAR

DISTRICT JORHAT
ASSAM

6: SRI HAREN KACHARI

SON OF LATE KALIA KACHARI

RESIDENT OF KAKODANGA HABIGOAN
14 NO. BLOCK

DISTRICT JORHAT
ASSAM

7: SRI ANIL SONOWAL

SON OF LATE MAKHESWAR SONOWAL

RESIDENT OF GORAJAN GAON

P.O. - BORHULA

P.S. - BORHULA

DISTRICT JORHAT
ASSAM.

8: SRI DINA SAIKIA
SON OF SRI SASHI SAIKIA

RESIDENT OF KHERMA GAON
BORHOLLA

P.O. - BORHULA

P.S. - BORHULA

DISTRICT JORHAT
ASSAM.

9: SRI NOMAL CHANDRA DAS

SON OF LATE KUSH RAM DAS

RESIDENT OF BOJAL KATA

P.O.- URANGIAL

P.S.- BORHULA

DISTRICT JORHAT
ASSAM.

10: SRI CHAMPAK SAIKIA

SON OF PREMANANDA SAIKIA

RESIDENT OF HARUKACHARI GAON

P.O. - PULIKITANI

P.S. - GHILADHARI

DISTRICT-GOLAGHAT
ASSAM.

11: SRI APLUS BARJO

SON OF LATE PAOLUS BARJO

RESIDENT OF GORAJAN GAON

P.O.- BORHULA

P.S.- BORHULA

DISTRICT JORHAT
ASSAM.

12: SRI HAREN DUTTA

SON OF SRI GOPI RAM DUTTA

RESIDENT OF KAKODANGA HABIGAON

BLOCK NO. 1

DISTRICT JORHAT
ASSAM.

13: SRI DIP SONOWAL

SON OF BABULA SONOWAL

RESIDENT OF GORAJAN GAON

P.O. - BORHULA
P.S. - BORHULA

DISTRICT JORHAT
ASSAM.

14: SRI DWEJEN KUMAR SONOWAL

SON OF SRI BAPURAM SONOWAL

RESIDENT OF GORAJAN GAON
BORHOLLA

P.O. - BORHULA
P.S. - BORHULA

DISTRICT JORHAT
ASSAM.

15: SRI BARHMANANDA SONOWAL

SON OF LATE KULAI SONOWAL

RESIDENT OF RUP NAGAR
BORHOLLA

P.O. - BORHULA
P.S.- BORHULA

DISTRICT- JORHAT
ASSAM.

16: SRI ANIL CHUTIA

SON OF LATE HEMO CHUTIA

RESIDENT OF KAKODANGA HABIGAON

P.O. - BORHULA

P.S. - BORHULA

DISTRICT- JORHAT
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17: SRI RATNESWAR HAZARIKA

SON OF SRI JOGESWAR HAZARIKA

RESIDENT OF KAKODANGA HABIGAON

BLOCK NO.-10

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18: SRI BIPIN HAZARIKA

SON OF ROBEN HAZARIKA
RESIDENCE OF KAKODANGA
HABIGAON

BLOCK NO. -10

DISTRICT JORHAT
ASSAM

VERSUS

FIROZE DOTIWALA AND 3 ORS.

S/O- FAROOKH RUSTOMJI DOTIWALA, R/O- 401, ANANT BUILDING, PLOT
NO. 13, SECTOR-4, KHARGHAR, NAVI MUMBAI, MAHARASHTRA.

2:THE UNION OF INDIA

REPRESENTED BY THE SECRETARY
MINISTRY OF LABOUR AND EMPLOYMENT
GOVT. OF INDIA
SHRAM SHAKTI BHAWAN
RAFI MARG
NEW DELHI- 110001.

3:THE CHIEF LABOUR COMMISSIONER

(CENTRAL)
5
SHAM NATH MARG
PREM KUNJ
CIVIL LINES
NEW DELHI-110054.

4:THE ASSISTANT LABOUR COMMISSIONER (CENTRAL)

MINISTRY OF LABOUR AND EMPLOYMENT
GOVT. OF INDIA
GUWAHATI
ZOO NARENGI TINIALI
SAPTARSHI PATH
GUWAHATI- 78102

Advocate for the Petitioner : MS D BORGOHAIN

Advocate for the Respondent : ASSTT.S.G.I.

Linked Case : I.A.(CrI.)/408/2022

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RESIDENCE OF GORAJAN

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SON OF ROBEN HAZARIKA
RESIDENCE OF KAKODANGA
HABIGAON

BLOCK NO. -10

DISTRICT JORHAT
ASSAM.
VERSUS

RAJANI KANT AND ANR.

S/O LATE LAKSHMAN DAS
R/O NEW DELHI

2:THE UNION OF INDIA

REPRESENTED BY THE SECRETARY
MINISTRY OF LABOUR AND EMPLOYMENT
GOVT. OF INDIA
SHRAM SHAKTI BHAWAN
RAFI MARG
NEW DELHI- 110001.

3:THE CHIEF LABOUR COMMISSIONER

(CENTRAL)

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SHAM NATH MARG
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NEW DELHI-110054.

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MINISTRY OF LABOUR AND EMPLOYMENT
GOVT. OF INDIA
GUWAHATI
ZOO NARENGI TINIALI
SAPTARSHI PATH
GUWAHATI- 781024

Advocate for : MS D BORGOHAIN
Advocate for : ASSTT.S.G.I. appearing for RAJANI KANT AND ANR.

Linked Case : Crl.Pet./650/2022

SUSHMA RAWAT
D/O LATE MADAN SINGH RAWAT
R/O CINNAMARA COMPLEX
ONGC
JORHAT.

VERSUS

THE UNION OF INDIA AND 2 ORS
REP. BY THE SECRETARY
MINISTRY OF LABOUR AND EMPLOYMENT
GOVT. OF INDIA
SHRAM SHAKTI BHAWAN
RAFIMARG

NEW DELHI-110001.

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SHAM NATH MARG

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NEW DELHI- 110054.

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MINISTRY OF LABOUR AND EMPLOYMENT
GOVT. OF INDIA
GUWAHATI
ZOO NARENGI TINIALI
SAPTARSHI PATH
GUWAHATI - 781024.

Advocate for : S N SARMA
Advocate for : ASSTT.S.G.I. appearing for THE UNION OF INDIA AND 2 ORS

Linked Case : I.A.(CrI.)/409/2022

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BLOCK NO. -10

DISTRICT JORHAT
ASSAM.
VERSUS

SMT SUSHMA RAWAT AND 3 ORS.

D/O LATE MADAN SINGH RAWAT
R/O CINNAMARA COMPLEX
ONGC
JORHAT.

2:THE UNION OF INDIA

REPRESENTED BY THE SECRETARY
MINISTRY OF LABOUR AND EMPLOYMENT
GOVT. OF INDIA
SHRAM SHAKTI BHAWAN
RAFI MARG
NEW DELHI- 110001.

3:THE CHIEF LABOUR COMMISSIONER

(CENTRAL)

5

SHAM NATH MARG
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CIVIL LINES
NEW DELHI-110054.

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MINISTRY OF LABOUR AND EMPLOYMENT
GOVT. OF INDIA
GUWAHATI
ZOO NARENGI TINIALI
SAPTARSHI PATH
GUWAHATI- 781024

Advocate for : MS D BORGOHAIN
Advocate for : ASSTT.S.G.I. appearing for SMT SUSHMA RAWAT AND 3 ORS.

Linked Case : CrI.Pet./649/2022

RAJNI KANT
SON OF LATE SHRI LAKSHMAN DAS
R/O NEW DELHI.

VERSUS

THE UNION OF INDIA AND 2 ORS
REP. BY THE SECRETARY
MINISTRY OF LABOUR AND EMPLOYMENT
GOVT. OF INDIA
SHRAM SHAKTI BHAWAN
RAFI MARG

NEW DELHI- 110001

2:THE CHIEF LABOUR COMMISSIONER (CENTRAL)

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NEW DELHI-110054

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MINISTRY OF LABOUR AND EMPLOYMENT

GOVT. OF INDIA

GUWAHATI

ZOO NARENGI TINIALI

SAPTARSHI PATH

GUWAHATI- 781024.

Advocate for : MR S N SARMA SENIOR ADVOCATE

Advocate for : ASSTT.S.G.I. appearing for THE UNION OF INDIA AND 2 ORS

Linked Case : CrI.Pet./340/2020

FIROZE DOTIWALA

S/O- FAROOKH RUSTOMJI DOTIWALA

R/O- 401

ANANT BUILDING

PLOT NO. 13

SECTOR-4

KHARGHAR

NAVI MUMBAI

MAHARASHTRA

VERSUS

THE UNION OF INDIA AND 2 ORS.

REP. BY THE SECY.

MINISTRY OF LABOUR AND EMPLOYMENT

GOVT. OF INDIA

SHRAM SHAKTI BHAWAN

RAFI MARG

NEW DELHI- 110001

2:THE CHIEF LABOUR COMMISSIONER (CENTRAL)

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NEW DELHI-110054
3:THE ASSTT. LABOUR COMMISSIONER (CENTRAL)
MINISTRY OF LABOUR AND EMPLOYMENT
GOVT. OF INDIA
GHY
ZOO NARENGI TINIALI
SAPTARSHI PATH
GHY-24

Advocate for : MR S N SARMA SENIOR ADVOCATE
Advocate for : ASSTT.S.G.I. appearing for THE UNION OF INDIA AND 2 ORS.

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 19.01.2023

Heard Mr. D. Saikia, learned Advocate General and Senior counsel, assisted by Mr. N. Anix Singh, learned counsel for applicants and Ms. K Baruah, learned counsel for the respondents.

The objection has been filed by the petitioners/ applicants.

List the matter on 30.01.2023.

JUDGE

Comparing Assistant