

GAHC010090382021



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

Case No. : WP(C)/3045/2021

GILLAPUKRI TEA COMPANY LIMITED
A COMPANY INCORPORATED UNDER THE PROVISIONS OF THE
COMPANIES ACT, 1956, HAVING ITS REGD. OFFICE AT 9, BRABOURNE
ROAD, KOLKATA-700001, REP. BY ITS MANAGING DIRECTOR SRI SUMIT
KANOI, S/O. LT. DEOKI NANDAN KANOI, R/O. GILLAPUKRI TEA ESTATE,
P.O., P.S. AND DIST. TINSUKIA, ASSAM, PIN-786125.

VERSUS

THE STATE OF ASSAM AND 8 ORS
REP. BY THE SECRETARY TO THE GOVT. OF ASSAM, LABOUR AND
EMPLOYMENT DEPTT., DISPUR, GUWAHATI-781006.

2:THE COMMISSIONER AND SECY.

LEGISLATIVE DEPTT.
GOVT. OF ASSAM
DISPUR
GUWAHATI-781006.

3:THE SECRETARY

LABOUR WELFARE DEPTT.
LABOUR (RC) BRANCH
GOVT. OF ASSAM
JANATA BHAWAN
DISPUR
GUWAHATI-781006.

4:THE ADDL. CHIEF SECRETARY

LABOUR WELFARE DEPTT.

LABOUR (RC) BRANCH
GOVT. OF ASSAM
JANATA BHAWAN
DISPUR
GUWAHATI-781006.

5:THE LABOUR COMMISSIONER

ASSAM
GOPINATH NAGAR
GUWAHATI
DIST. KAMRUP (M)
ASSAM
PIN-781016.

6:THE GRATUITY COMMISSIONER

ASSAM TEA EMPOLYEES PROVIDENT FUND ORGANIZATION
NIDHI BHAWAN
LALMATI
NH-37
GUWAHATI-781029.

7:THE CONTROLLING AUTHORITY

ASSAM TEA EMPOLYEES PROVIDENT FUND ORGANIZATION
NIDHI BHAWAN
LALMATI
NH-37
GUWAHATI-781029.

8:THE ASSTT. PF COMMISSIONER

TINSUKIA ZONAL OFFICE
DIST. TINSUKIA
ASSAM.

9:THE UNION OF INDIA

REP. BY ITS CHIEF LABOUR COMMISSIONER (CENTRAL)
4TH FLOOR
JEEVAN DEEP BUILDING
PARLIAMENT STREET
NEW DELHI-110001

Advocate for the Petitioner : MR. B. DUTTA

Advocate for the Respondent : GA, ASSAM

Linked Case : I.A.(Civil)/1559/2021

GILLAPUKRI TEA COMPANY LIMITED
A COMPANY INCORPORATED UNDER THE PROVISIONS OF THE
COMPANIES ACT
1956
HAVING ITS REGD. OFFICE AT 9
BRABOURNE ROAD
KOLKATA-700001
REP. BY ITS MANAGING DIRECTOR SRI SUMIT KANOI
S/O. LT. DEOKI NANDAN KANOI
R/O. GILLAPUKRI TEA ESTATE
P.O.
P.S. AND DIST. TINSUKIA
ASSAM
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VERSUS

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DISPUR
GUWAHATI-781006

2:THE COMMISSIONER AND SECY.

LEGISLATIVE DEPTT.
GOVT. OF ASSAM
DISPUR
GUWAHATI-781006.
3:THE SECRETARY

LABOUR WELFARE DEPTT.
LABOUR (RC) BRANCH
GOVT. OF ASSAM
JANATA BHAWAN
DISPUR
GUWAHATI-781006.
4:THE ADDL. CHIEF SECRETARY

LABOUR WELFARE DEPTT.

LABOUR (RC) BRANCH
GOVT. OF ASSAM
JANATA BHAWAN
DISPUR
GUWAHATI-781006.
5:THE LABOUR COMMISSIONER

ASSAM
GOPINATH NAGAR
GUWAHATI
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ASSAM
PIN-781016.
6:THE GRATUITY COMMISSIONER

ASSAM TEA EMPOLYEES PROVIDENT FUND ORGANIZATION
NIDHI BHAWAN
LALMATI
NH-37
GUWAHATI-781029.
7:THE CONTROLLING AUTHORITY

ASSAM TEA EMPOLYEES PROVIDENT FUND ORGANIZATION
NIDHI BHAWAN
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GUWAHATI-781029.
8:THE ASSTT. PF COMMISSIONER

TINSUKIA ZONAL OFFICE
DIST. TINSUKIA
ASSAM.
9:THE UNION OF INDIA

REP. BY ITS CHIEF LABOUR COMMISSIONER (CENTRAL)
4TH FLOOR
JEEVAN DEEP BUILDING
PARLIAMENT STREET
NEW DELHI-110001.

Advocate for : MR. S DEKA
Advocate for : ASSTT.S.G.I. appearing for THE STATE OF ASSAM AND 8 ORS

Linked Case : WP(C)/2066/2019

KRISHNABEHARI TEA COMPANY LTD. AND 3 ORS.

A COMPANY INCORPORATED UNDER THE PROVISIONS OF THE
COMPANIES ACT

1956

HAVING ITS REGISTERED OFFICE AT 5
PANNALALL BANERJEE LANE
8TH FLOOR
KOLKATA-700001 REP. BY ITS DIRECTOR
NAMELY SRI PREM RATAN LAHOTY
S/O OF LT. BIHARI LALL LAHOTY
14/2A
BURDWAN ROAD
ALIPORE
KOLKATA-700027
WEST BENGAL.

2: BIHUBARI TEA COMPANY PVT. LTD

A COMPANY INCORPORATED UNDER THE PROVISIONS OF THE
COMPANIES ACT

1956

HAVING ITS REGISTERED OFFICE AT P.O. NAZIRA
DIST. SIVASAGAR
ASSAM
PIN.-785685
REP. BY ITS DIRECTOR
NAMELY
SRI SANTOSH KUMAR AGARWAL
S/O LT. PARSHURAM AGARWALLA
R/O 76-A
JATINDRA MOHAN AVENUE
KOLKATA-700005
WEST BENGAL.

3: GANGABARI TEA COMPANY PVT. LTD.

A COMPANY INCORPORATED UNDER THE PROVISIONS OF THE
COMPANIES ACT

1956

HAVING ITS REGISTERED OFFICE AT BISHMILE
P.O. CHABUA
DIST. DIBRUGARH-786184
ASSAM
REP. BY ITS DIRECTOR
NAMELY
SRI VIKASH AGARWAL
S/O SHRI RADHEMOHAN AGARWAL
R/O MAKUM ROAD
P.O. TINSUKIA
DIST. TINSUKIA
PIN-786125

ASSAM

4: RIVER VALLEY TEA COMPANY PVT. LTD.
A COMPANY INCORPORATED UNDER THE PROVISIONS OF THE
COMPANIES ACT

1956

HAVING ITS REGISTERED OFFICE AT THANA ROAD
P.O AND DIST. TINSUKIA

ASSAM

PIN-786125

REP. BY ITS DIRECTOR

NAMELY SRI MAHENDRA KUMAR AGARWALLA

S/O LT. PARSHURAM AGARWALLA

R/O BISHMILE

P.O. CHABUA

DIST. DIBRUGARH-786184

ASSAM

VERSUS

THE STATE OF ASSAM AND 6 ORS.

REP. BY THE SECRETARY TO THE GOVT. OF ASSAM

LABOUR AND EMPLOYMENT DEPTT. DISPUR

GUWAHATI-781006

2:THE COMMISSIONER AND SECRETARY

LEGISLATIVE DEPTT. GOVT OF ASSAM

DISPUR

GUWAHATI-781006

3:THE SECRETARY

LABOUR WELFARE DEPTT. LABOUR (RC) BRANCH

GOVT. OF ASSAM

JANATA BHAWAN

DISPUR

GUWAHATI-781006

4:THE ADDITIONAL CHIEF SECRETARY

LABOUR WELFARE DEPTT. LABOUR (RC) BRANCH

GOVT. OF ASSAM

JANATA BHAWAN

DISPUR

GUWAHATI-781006

5:THE LABOUR COMMISSIONER

ASSAM

GOPINATH NAGAR

GUWAHATI

DIST.-KAMRUP (M)

ASSAM

PIN-781016

6:THE SECRETARY CUM PF COMMISSIONER

ASSAM TEA EMPLOYEES PROVIDENT FUND ORGANIZATION
NIDHI BHAWAN
LALMATI
NH-37
GUWAHATI-781029
7:THE UNION OF INDIA
REP. BY ITS CHIEF LABOUR COMMISSIONER (CENTRAL)
4TH FLOOR
JEEVAN DEEP BUILDING
PARLIAMENT
STREET
NEW DELHI-110001

Advocate for : MR N DUTTA
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS.

BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 07.09.2022

Heard Mr. M. K. Choudhury, learned Senior Counsel for the writ petitioners.

At the request of M. Bhattacharjee, learned Additional Senior Government Advocate, Assam, the matter is adjourned to **21.09.2022**.

JUDGE

CHIEF JUSTICE

Comparing Assistant