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

Case No. : WP(C)/2066/2019

1.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

1.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-11000

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 PIN-786125.

VERSUS

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

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

5:THE LABOUR COMMISSIONERASSAM
GOPINATH NAGAR GUWAHATI DIST. KAMRUP (M)
ASSAM PIN-781016.

6:THE GRATUITY COMMISSIONER
ASSAM TEA EMPOLYEEES PROVIDENT FUND ORGANIZATION
NIDHI BHAWAN LALMATI NH-37 GUWAHATI-781029.

7:THE CONTROLLING AUTHORITY
ASSAM TEA EMPOLYEEES 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.

Linked Case : I.A.(Civil)/1473/2021

1.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

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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
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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

Linked Case : I.A.(Civil)/1843/2021

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
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REP. BY ITS DIRECTOR NAMELY SRI VIKASH AGARWAL
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A COMPANY INCORPORATED UNDER THE PROVISIONS OF THE
COMPANIES ACT 1956 HAVING ITS REGISTERED OFFICE AT THANA ROAD
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GOVT. OF ASSAM JANATA BHAWAN
DISPUR GUWAHATI-781006

4:THE ADDITIONAL CHIEF SECRETARY
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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

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

For the Petitioner(s)	:	Mr. J. Das, Advocate on behalf of Mr. B. Dutta, Senior Advocate.
For the Respondent(s)	:	Ms. M. Bhattacharjee, Additional Senior Government Advocate, Assam.
	:	Mr. N.C. Das, Senior Advocate.

– BEFORE –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

29.07.2025

(Ashutosh Kumar, CJ)

As prayed for on behalf of the petitioners and consented to by the counsel for the other side, the matters are adjourned to 26.08.2025.

JUDGE

CHIEF JUSTICE

Comparing Assistant