

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 : 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 : 05-10-2021

The matter is taken up through video conferencing.

Mr. S. Deka, learned counsel for the petitioners seeks adjournment on the ground that the arguing counsel Mr. N. Dutta, Senior Advocate has passed away and, therefore, the petitioners would be engaging another counsel to argue the matter.

Mr. N.C. Das, learned senior counsel for the respondent No.6 is present.

The matter is adjourned.

List again on **8th November, 2021.**

JUDGE

CHIEF JUSTICE

Comparing Assistant