

GAHC010131572025



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

Case No. : CRP/83/2025

PURVOTTAR SIMNTA RAILWAY KARMACHARI SANGH (PSRKS)
A REGISTERED TRADE UNION UNDER THE TRADE UNIONS ACT , 1926
BEARING REGISTRATION NO 721/1971 HAVING ITS REGISTERED OFFICE
AT QTR NO 136/B W W COLONY PANDU MALIGAON KAMRUP GUWAHATI
12 ASSAM REP BY ITS GENERAL SECRETARY MR PAULUSH MUSHAHARY

2: ANITA SINGH
PRESIDENT OF PURVOTTAR SIMANTA RAILWAY KARMACHARI SANGH
(PSRKS) R/O QTR NO 136/B W W COLONY PANDU MALIGAON KAMRUP
GUWAHATI 12 ASSAM

3: PAULUSH MUSHAHARY
GENERAL SECRETARY OF PURVOTTAR SIMANTA RAILWAY
KARMACHARI SANGH (PSRKS) R/O QTR NO 136/B W W COLONY PANDU
MALIGAON KAMRUP GUWAHATI 12 ASSA

VERSUS

JINTU HAZARIKIA
S/O LT PRAADIP HAZARIKA CLAIMING TO BE PRESEDENT OF
PURVOTTAR SIMANTA RAILWAY KARMACHARI SANGH (PSRKS) R/O
LAKHRA NEAR REGIONAL COLLEGE OF HEALTH SCIENCE PIN 781040
DIST KAMRUP METRO ASSAM

2:HARISH BHUYAN
S/O LT SURENDRA NATH BHUYAN CLAIMING TO BE SECRETARY
PURVOTTAR SIMANTA RAILWAY KARMACHARI SANGH (PSRKS) R/O
PUBINXARAPUR MIKIRGHULI WEST BORAGAON MALIGAON GUWAHATI
781011 DIST KAMRUP METRO ASSA

For the Petitioner(s) : Mr. R. Ali, Advocate

For the Respondent(s) : Mr. R. Sarma for caveator

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 24.06.2025

Heard Mr. R. Ali, the learned counsel appearing on behalf of the petitioners. Mr. R. Sarma, the learned counsel appears on behalf of the caveator.

2. It is seen that the suit filed by the petitioners being Title Suit No. 633/2024 is valued at Rs. 20,00,000/-. The reliefs so sought for pertains to declaration with consequential reliefs and as such, it comes within the ambit of the Section 7(iv)(c) of the Court Fees Act, 1870. However, the Court fee which has been paid is merely Rs. 77/- and not ad valorem on the valuation of the suit. The suit, under such circumstances, apparently was filed with deficit Court fee.

3. Mr. R. Ali, the learned counsel appearing on behalf of the petitioners submitted that he would take appropriate steps for rectifying the said defect within a day or so and the matter be taken up on 27.06.2025.

4. Taking into account the above, list this matter again on 27.06.2025.

JUDGE

Comparing Assistant