

GAHC010132152022



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

**Case No. : Crl.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)

5  
SHAM NATH MARG  
PREMA KUNJ  
CIVIL LINES  
NEW DELHI-110054

3:THE ASSISTANT LABOUR COMMISSIONER (CENTRAL)

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

**Advocate for the Petitioner** : MR S N SARMA SENIOR ADVOCATE

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

Linked Case : 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

ASSAM.

17: SRI RATNESWAR HAZARIKA  
SON OF SRI JOGESWAR HAZARIKA  
RESIDENT OF KAKODANGA HABIGAON  
BLOCK NO.-10  
P.O.- BORHULA  
P.S.- BORHULA  
DISTRICT JORHAT  
ASSAM

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- 781024  
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Advocate for : MS D BORGOHAIN  
Advocate for : ASSTT.S.G.I. appearing for FIROZE DOTIWALA AND 3 ORS.

**BEFORE**  
**HONOURABLE MRS. JUSTICE MALASRI NANDI**

**ORDER**

**Date : --12.12.2022**

Heard Ms. K. Barua, learned counsel for the applicant. Also heard Mr. D. Saikia, learned Advocate General, Assam appearing for the respondent No. 1 and Mr. P.S. Lahkar, learned CGC appearing for respondent Nos. 2, 3 & 4.

Mr. Saikia submits that he wants to file objection.

List the matter on 05.01.2023.

**JUDGE**

**Comparing Assistant**