

GAHC010136152026



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

Case No. : WP(C)/3557/2026

SUKHRAM SHAHU ALIAS SUKH RAM SAHU ALIAS SUKHRAM SAHU
ALIAS SUKRAM SAHU
SON OF MANGLU SHAHU, RESIDENT OF LINE NO. 8, MOHUNBAREE TEA
ESTATE, P.O. - MOHABAREE, P.S. - LAHOWAL DISTRICT DIBRUGARH
ASSAM, PIN 780012

VERSUS

THE STATE OF ASSAM AND 3 ORS
THROUGH THE SECRETARY TO THE GOVT OF ASSAM, LABOUR WELFARE
DEPARTMENT, DISPUR, GUWAHATI-781006

2:THE LABOUR COMMISSIONER
ASSAM
GOPINATH NAGAR
GUWAHATI - 781016

3:DHELEKHAT TEA COMPANY LTD
REPRESENTED BY ITS MANAGING DIRECTOR
4
CLIVE ROW
KOLKATA - 700001

4:MANAGEMENT OF MOHUNBARI TEA ESTATE
(TEA ESTATE UNDER DHELAKHTTEA CO. LTD.) REPRESENTED BY ITS
ESTATE MANAGER
P.O. - MOHUNBAREE
AIRFLEID
DISTRICT DIBRUGARH
ASSAM
PIN- 78601

Advocate for the Petitioner : MR N N UPADHYAYA, MR. S UPADHAYA,MR. B B KAKATI

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

22.07.2026

Heard Shri N N Upadhyaya, learned counsel for the petitioner, who by means of this writ petition has put to challenge an Award dated 30.01.2026 passed by the learned Labour Court, Dibrugarh whereby the claim of the petitioner for medical reimbursement has been rejected.

On noticing that the learned Labour Court has taken into consideration the provisions of the new code, namely Industrial Relations Code, 2020 while deciding the issue, this Court had requested, Shri G.N. Sahewalla, learned Senior Counsel to assist on the aspect of applicability of the new Act.

Shri Sahewalla, the learned Senior Counsel as Amicus has submitted that as per Section 1 (3) of the Industrial Relations Code, 2020, the Gazette notification was published on 21.11.2025 followed by notification of the Rules. He has also submitted that the earlier Industrial Disputes Act, 1947 has been repealed w.e.f. 21.11.2025 vide notification dated 02.02.2026.

However, in the instant case, it appears that the Reference was made in prior point of time in the year 2024. *Prima facie*, there may not be any application of the new code of 2020.

Let notice be issued, returnable on 24.08.2026.

Shri G. Bokolial, learned State Counsel accepts notice on behalf of the

respondent nos. 1 and 2. Extra copy of the writ petition be served upon him during the course of the day.

Let steps be taken for service of notice upon the respondent nos. 3 and 4 by Speed Post with A/D within 2 (two) working days from today.

The Court would like to put on record the gratitude towards Shri Sahewalla, the learned Senior Counsel for the assistance rendered.

JUDGE

Comparing Assistant