

GAHC010199032025



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

**Case No. : WA/116/2026**

THE ASSAM CHAH KARMACHARI SANGHA  
JORHAT CIRCLE AND ANR  
PO- JORHAT, DIST- JORHAT,  
ASSAM, PIN-785001.

2: SHRI ANIL SAIKIA  
S/O LATE PADMA NATH SAIKIA  
VILLAGE P.O. DHEKIA-KHOWA  
DISTRICT-JORHAT  
ASSAM  
PIN-78511

**VERSUS**

M/S KAKODONGA TEA ESTATE PVT LTD AND 2 ORS  
A COMPANY REGISTERED UNDER THE COMPANIES ACT. 1956.  
HAVING ITS REGISTERED OFFICE AT K.B. ROAD,  
JORHAT-785001, DIST- JORHAT.

2:THE MANAGEMENT OF KAKODONGA TEA ESTATE  
P.O. GOTONGA  
DISTRICTJORHAT.

3:THE STATE OF ASSAM  
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE  
GOVERNMENT OF ASSAM  
LABOUR AND EMPLOYMENT DEPARTMENT  
DISPUR  
GUWAHATI 781006

For the appellants : Ms. A. Bhattacharyya, Advocate  
For the respondents : Mr. N. Deka, Sr. Advocate  
Mr. M. Gogoi, Advocate

– B E F O R E –

**HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR**

**HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY**

**25-05-2026**

***(Ashutosh Kumar, C.J.)***

We have heard Ms. A. Bhattacharyya, learned Advocate for the appellants/the Assam Chah Karmachari and another and Mr. N. Deka, learned Senior Advocate for the respondents/M/s Kakodonga Tea Estate Pvt. Ltd. and others.

One Sri Anil Saikia, an ex-Tea Garden Worker sought reimbursement of medical expenses for his wife's cancer treatment from the respondents/employer. The wife of Sri Anil Saikia had been diagnosed with cancer in the year 2008. The patient was referred by the Tea Garden Management to government hospital for her treatment but when her condition worsened, it was advised by the Guwahati Medical College & Hospital for specialised oncology treatment which was not available in Guwahati.

The claim of the appellants is that on the verbal approval from the Garden Manager, the patient was taken to a Hospital in Mumbai for treatment, to which she favourably responded. However, the medical expenses, which came to approximately Rs.2,10,810.00, was refused to

be reimbursed by the Management.

Thereafter, the issue was referred to the Industrial Tribunal, Dibrugarh, which ruled, taking into account the humanitarian aspect as also the obligation of the employer, that the Management must pay the medical bill covering the expenses incurred by the employee.

The award of the Tribunal was challenged by the Management before this Court vide WP(C) 5180/2014, which objection was sustained by the learned Single Judge vide the impugned judgment dated 19.05.2025.

The learned Single Judge opined that there was no legally enforceable right of the employee against the Management of covering the medical expenses outside the State of Assam without formal prior sanction or approval. The learned Single Judge also held that covering medical expenses outside the State of Assam will not strictly fall within the statutory obligations of the employer.

Mr. Deka, learned Senior Advocate for the respondents submits that he shall respond to the memo of appeal by the next date.

Re-notify on **08.06.2026**.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**