

GAHC010208182025



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

Case No. : WP(C)/5567/2025

DIROK TEA ESTATE
REPRESENTED BY ITS SENIOR MANAGER, YOGENDER SINGH SISODIA,
AGED ABOUT - 52 YEARS S/O- LATE YASHWANT SINGH SISODIA, R/O
DIROK TEA ESTATE, P.O MARGHERITA, P.S MARGHERITA, DISTRICT.
TINSUKIA, ASSAM 786181 THE PETITIONERS TEA ESTATE IS UNDER THE
COMPANY MCLEOD RUSSEL INDIA LTD HAVING ITS REGISTERED OFFICE
AT FOUR MANGOE LANE SURENDRA MOHAN GHOSH SARANI KOLKATA
WEST BENGAL 700001

VERSUS

THE UNION OF INDIA AND ORS
THROUGH THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF
LABOR AND EMPLOYMENT, SHRAM SHKATI BHAWAN, RAFI MARG, NEW
DELHI -110001

2:THE STATE OF ASSAM
REPRESENTED BY THE SECRETARY TO THE GOVT. OF ASSAM
LABOUR AND EMPLOYMENT DEPARTMENT
DISPUR
GUWAHATI
ASSAM

3:ASSISTANT LABOR COMMISSIONER
TINSUKIA
NIDHI BHAWAN
RANGAPARA ROAD
TINSUKIA

4:THE SECRETARY

ASSAM CHAH KARMACHARI SANGHA (ACKS) TINGRI CIRCLE
TINSUKIA
TINSUKIA
ASSAM 78660

Advocate for the Petitioner : MR N N UPADHYAYA, MR. D K BAGCHI, MR. V PANDEY, MR. B B KAKATI

Advocate for the Respondent : DY.S.G.I.,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 22.09.2025

Heard Mr. N.N. Upadhyaya, learned counsel for the petitioner. Also heard Ms. B. Sarma, learned CGC for the respondent No. 1. Also heard Ms. S. Baruah, learned Government Advocate for the respondent Nos. 2 and 3.

In this petition, under Article 226 of the Constitution of India, the petitioner has challenged the judgment and order dated 17.04.2025, passed by the Assistant Labour Commissioner, Tinsukia, in application No. 47 to 53/2024.

It is to be noted here that vide impugned judgment and order dated 17.04.2025, the Assistant Labour Commissioner, Tinsukia had directed to deduct a sum of Rs. 44,21,723.72/- from the pension of the present petitioner.

Mr. Upadhyaya, learned counsel for the petitioner submits that the Assistant Labour Commissioner has no jurisdiction to try the aforementioned application.

The submission of Mr. Upadhyaya needs further consideration.

At this stage, notice be issued to the respondents, returnable in four weeks.

As Ms. Sarma, learned CGC appears and accepts notice on behalf of the

respondent No. 1 and Ms. Baruah, learned Government Advocate appears and accepts notice on behalf of the respondent Nos. 2 and 3, no formal notice is required to be issued to the said respondents. However, extra requisite copies of the petition be furnished to them during the course of the day.

Steps be taken upon the respondent No. 4, by way of registered post with A/D as well as by usual process within a week from today.

List the matter after four weeks.

In the meantime, Ms. Baruah, learned Government Advocate for the respondent Nos. 2 and 3 shall obtain necessary instruction and apprise this Court on returnable date.

Interim prayer of the petitioner will be considered on returnable date.

Registry shall reflect the name of GA, Assam in the cause list.

JUDGE

Comparing Assistant