

GAHC010217252025



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

Case No. : I.A.(Civil)/3207/2025
In WP(C)/3366/2024

ASSAM TEA CORPORATION LIMITED
REPRESENTED BY THE MANAGING DIRECTOR A GOVT OF ASSAM
UNDERTAKING, HOUSEFED COMPLEX C-BLOCK DISPUR, GUWAHATI
781006

VERSUS

PUNJAB NATIONAL BANK
A BODY CORPORATE CONSTITUTED UNDER THE BANKING COMPANIES
(ACQUISITION AND TRANSFER OF UNDERTAKING) ACT, 1970, HAVING ITS
HEAD OFFICE AT PLOT NO. 4, SECTOR-10, DWARKA, NEW DELHI-110075,
CARRYING ON BANKING BUSINESS AT DIFFERENT PLACES ALL OVER
INDIA AND HAVING ITS LOCAL OFFICE AT PNB LOAN POINT (PLP),
BABUPATTY, JORHAT AND UNDER THE SAID OFFICE ALSO A BRANCH AT
SIMALUGURI, DIST. SIVASAGAR, ASSAM, THROUGH ITS AUTHORISED
PERSON SRI VARUN KUMAR JHA, S/O- SHRI TRIPURA NAND JHA,
WORKING IN THE CAPACITY OF CHIEF MANAGER, PUNJAB NATIONAL
BANK, CIRCLE SASTRA, JORHAT, ASSAM-785001.

2:THE STATE OF ASSAM
REPRESENTED BY THE PRINCIPAL SECRETARY
INDUSTRIES AND COMMERCE DEPARTMENT
DISPUR
GUWAHATI 6

3:THE DISTRICT COMMISSIONER
SIVASAGAR ASSAM PIN 785069

4:ASSAM TEA EMPLOYEES PROVIDENT FUND ORGANIZATION
REPRESENTED BY ITS PROVIDENT FUND COMMISSIONER NIDHI
BHAWAN LALMATI GUWAHATI DISTRICT KAMRUP METROM ASSAM PIN

781029

5:THE COMMISSIONER LAND SECRETARY
GOVERNMENT OF ASSAM REVENUE AND DISASTER MANAGEMENT
DEPARTMENT
DISPUR
GUWAHATI 6

6:THE RECOVERY OFFICER
ASSAM TEA EMPLOYEES PROVIDENT FUND ORGANIZATION
SIBSAGAR ZONE DN BEZBARUAH ROAD
SIVASAGAR
ASSAM PIN 785640

7:DENISH KUKURACHOWA
SON OF LATE RAMPRASAD KUKURACHOWA
VILLAGE BOKOTA KOHAR GAON PATSAKU
DISTRICT SIVASAGAR
ASSA

Advocate for the Petitioner : MR. D SAIKIA, MR. B GOGOI, MR M BHUYAN

Advocate for the Respondent : GA, ASSAM, MR. A GANGULY

Linked Case : WP(C)/3355/2024

PUNJAB NATIONAL BANK
A BODY CORPORATE CONSTITUTED UNDER THE BANKING COMPANIES
(ACQUISITION AND TRANSFER OF UNDERTAKING) ACT
1970
HAVING ITS HEAD OFFICE AT PLOT NO. 4
SECTOR-10
DWARKA
NEW DELHI-110075
CARRYING ON BANKING BUSINESS AT DIFFERENT PLACES ALL OVER
INDIA AND HAVING ITS LOCAL OFFICE AT PNB LOAN POINT (PLP)
BABUPATTY
JORHAT AND UNDER THE SAID OFFICE ALSO A BRANCH AT SIMALUGURI
DIST. SIVASAGAR
ASSAM
THROUGH ITS AUTHORISED PERSON SRI VARUN KUMAR JHA
S/O- SHRI TRIPURA NAND JHA
WORKING IN THE CAPACITY OF CHIEF MANAGER
PUNJAB NATIONAL BANK
CIRCLE SASTRA
JORHAT
ASSAM-785001.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY INDUSTRIES AND
COMMERCE DEPARTMENT
GOVT. OF ASSAM
DISPUR-781006.

2:ASSAM TEA CORPORATION LTD.

REP. BY THE MANAGING DIRECTOR
A GOVT. OF ASSAM UNDERTAKING HOUSEFED COMPLEX
C BLOCK
7TH FLOOR
DISPUR
GUWAHATI
ASSAM-781006.

3:THE DISTRICT COMMISSIONER
SIVASAGAR
ASSAM-785640.

4:ASSAM TEA EMPLOYEES PROVIDENT FUND ORGANISATION
REP. BY ITS PROVIDENT FUND COMMISSIONER HAVING ITS HEAD OFFICE
AT NIDHI BHAWAN
LAL MATI
GUWAHATI
DIST. KAMRUP(M)
ASSAM-781029.

5:COMMISSIONER AND SECRETARY
GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GHY-781006.

6:THE RECOVERY OFFICER
ASSAM TEA EMPLOYEES PROVIDENT FUND ORGANISATION
SIVASAGAR ZONE
DN BEZBARUAH ROAD
SIVASAGAR
ASSAM
PIN- 785640.

7:DENISH KUKURACHOWA
S/O- LATE RAMPRASAD KUKURACHOWA

R/O- VILL.- BOKOTA
KOHAR GAON
PATSAKU
DIST. SIVASAGAR
ASSAM
PIN- 785673.

Advocate for : MR. A GANGULY
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : WP(C)/3366/2024

PUNJAB NATIONAL BANK
A BODY CORPORATE CONSTITUTED UNDER THE BANKING COMPANIES
(ACQUISITION AND TRANSFER OF UNDERTAKING) ACT
1970
HAVING ITS HEAD OFFICE AT PLOT NO. 4
SECTOR 10
DWARKA
NEW DELHI-110075
CARRYING ON BANKING BUSINESS AT DIFFERENT PLACES ALL OVER
INDIA INCLUDING A LOCAL OFFICE AT CIRCLE SASTRA CENTRE
JORHAT AND UNDER THE SAID OFFICE ALSO A BRANCH AT SIMALUGURI
DIST- SIBSAGAR
ASSAM.

THROUGH ITS AUTHORISED PERSON
VARUN KUMAR JHA
AGE-39 YRS

S/O- TRIPURA NAND JHA
WORKING IN THE CAPACITY OF CHIEF MANAGER
PUNJAB NATIONAL BANK
CIRCLE SASTRA
JORHAT
ASSAM
PIN-785001

VERSUS

THE STATE OF ASSAM AND 6 ORS
REP. BY THE PRINCIPAL SECRETARY
INDUSTRIES AND COMMERCE DEPARTMENT
DISPUR

GUWAHATI-06
ASSAM

2:ASSAM TEA CORPORATION LTD.
REP. BY THE MANAGING DIRECTOR
A GOVT. OF ASSAM UNDERTAKING

HOUSEFED COMPLEX
C-BLOCK
7TH FLOOR
DISPUR
GUWAHATI-781006.

3:THE DISTRICT COMMISSIONER
SIVASAGAR
ASSAM
PIN-785069

4:ASSAM TEA EMPLOYEES PROVIDENT FUND ORGANIZATION
REP BY ITSL PROVIDEN FUND COMMISSIONER HAVING ITS HEAD OFFICE
AT NIDHI BHAWAN LALMATI
GUWAHAT
DIST. KAMRUP METRO
ASSAM
PIN 781029

5:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GUWAHATI-06.

6:THE RECOVERY OFFICER

ASSAM TEA EMPLOYEES PROVIDENT FUND ORGANISATION
SIBSAGAR ZONE
DN BEZBARUAH ROAD
SIVASAGAR
ASSAM
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7:DENISH KUKURACHOWA
S/O- LATE RAMPRASAD KUKURACHOWA

R/O- VILLAGE- BOKOTA
KOHAR GAON
PATSAKU
DIST- SIVASAGAR

ASSAM
PIN-785673

Advocate for : MR. A GANGULY
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 6 ORS

Linked Case : **I.A.(Civil)/3206/2025**
In WP(C)/3355/2024

ASSAM TEA CORPORATION LTD
REPRESENTED BY TEH MANAGING DIRECTOR A GOVT OF ASSAM
UNDERTAKING
HOUSEFED COMPLEX C-BLOCK DISPUR
GUWAHATI 781006

VERSUS

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PUNJAB NATIONAL BANK
CIRCLE SASTRA
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REPRESENTED BY THE PRINCIPAL SECRETARY
INDUSTRIES AND COMMERCE DEPARTMENT
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GUWAHATI 6

3:THE DISTRICT COMMISSIONER
SIVASAGAR ASSAM PIPN 785069

4:ASSAM TEA EMPLOYEES PROVIDENT FUND ORGANIZATION
REPRESENTED BY ITS PROVIDENT FUND COMMISSIONER NIDHI BHAWAN
LALMATI GUWAHATI DISTRICT KAMRUP METROM ASSAM PIN 781029

5:THE COMMISSIONER LAND SECRETARY
GOVERNMENT OF ASSAM REVENUE AND DISASTER MANAGEMENT
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SIBSAGAR ZONE DN BEZBARUAH ROAD
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7:DENISH KUKURACHOWA
SON OF LATE RAMPRASAD KUKURACHOWA
VILLAGE BOKOTA KOHAR GAON PATSAKU
DISTRICT SIVASAGAR
ASSAM

Advocate for : MR. D SAIKIA
Advocate for : GA
ASSAM appearing for PUNJAB NATIONAL BANK

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

24-09-2025

Heard Shri D. Saikia, learned Senior Counsel assisted by Shri B. Gogoi, learned counsel for the applicants in these cases. Also heard Shri D. Das, learned Senior Counsel assisted by Shri A. Ganguly, learned counsel for the PNB; Shri N. Patiri, learned counsel appearing for the ATEPFO respondent nos. 4 & 6.

By these applications, directions have been sought for to enable the applicants to pay the bonus. During the course of hearing, reference to the Payment of Bonus Act, 1965 was made including the percentage mentioned.

After hearing the matter at some length, Shri Saikia, the learned Senior Counsel for the applicants has submitted that he would not like to press these applications as there are already observations made by this Court that any payments made in the meantime would be subject to the final outcome.

In view of the above, the applications are closed on withdrawal.

The writ petitions may be listed for **admission hearing** on **04.11.2025**.

Shri Patiri, the learned counsel for the ATEPFO has placed before this Court two numbers of calculation sheets pertaining to the two tea gardens, the same are kept with the records.

JUDGE

Comparing Assistant