

GAHC010236942015



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

Case No. : WP(C) 2886/2015

1:PRADIP CHANDRA BORA and 137 ORS
S/O BHOG RAM BORA, R/O NATUNGAON, P.O. and PS. JAGIROAD, DIST-
MORIGAON, ASSAM, PIN-782410

VERSUS

1:THE STATE OF ASSAM and 2 ORS
REP. BY THE PRINCIPAL SECY. TO THE GOVT. OF ASSAM, INDUSTRIES
AND COMMERCE DEPTT., DISPUR, GHY-6

Advocate for the Petitioner : MS.B DAS

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

ORDER

Date : 11-07-2018

Heard Mr. A. Dasgupta, learned senior counsel for the petitioner. Also heard Mr. A. Gogoi, learned counsel for the State respondent authorities as well as Mr. R. Borpujari, learned standing counsel for the Finance Department.

The issue involved in this writ petition pertains to the fate of the employees of the respondent Assam Polytex Ltd. who have not been paid their financial dues since 1993.

It is stated by Mr. A. Dasgupta, learned senior counsel that in course of time the Assam Polytex Ltd. was completely handed over to a private entrepreneur and perhaps the private entrepreneur had also accepted such handing over.

The state respondent in the Public Enterprise Department shall file a detail affidavit as regards as to whether on

facts the respondent Assam Polytex Ltd. was actually handed over to a private entrepreneur and whether the private entrepreneur had accepted such handing over. The stand of the respondent authorities as to what they intend to do with the petitioners, who are the employees of the Assam Polytex Ltd. shall also be stated in detail.

The affidavit be filed within two weeks.

The Finance Department shall also file affidavit to the aforesaid aspect making the stand of the department clear in this respect.

In view of the financial implication that may be involved in this writ petition the Finance Department is arrayed as the respondent No.4. Mr. R. Borpujari, learned counsel accepts notice on behalf of the Finance Department.

It is expected that the appropriate authority in the Govt. of Assam would also take a final decision as regards the claim of the employee of the Assam Polytex Ltd. and submit in detail before the Court any such decision that may be taken.

List this matter on 20.08.2018

Copy of the order be provided to the learned counsel for the respondent during the course of the day.

JUDGE

Comparing Assistant