

GAHC010252562022



undefined

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

**Case No. : WP(C)/8022/2022**

ASSAM TEA EMPLOYEES PROVIDENT FUND ORGANIZATION  
REPRESENTED BY ITS ADDITIONAL PROVIDENT FUND COMMISSIONER,  
HAVING ITS HEAD OFFICE AT NIDHI BHAWAN, LALMATI, GUWAHATI,  
DIST- KAMRUP (M), ASSAM, PIN-781029

VERSUS

UNION OF INDIA AND 7 ORS.  
REPRESENTED BY THE SECRETARY, MINISTRY OF FINANCE,  
DEPARTMENT OF ECONOMIC AFFAIRS, NEW DELHI-110001

2:THE RECOVERY OFFICER-I  
DEBT RECOVERY TRIBUNAL  
GUWAHATI  
ULUBARI  
DIST-KAMRUP  
ASSAM  
PIN-781007

3:THE PUNJAB NATIONAL BANK  
CIRCLE SASTRA CENTRE  
NILGIRI MANSION  
BHANGAGARH  
GUWAHATI-781005  
DIST-KAMRUP (M)  
ASSAM

4:SECONEE TEA ESTATE  
NAGAON  
REPRESENTED BY ITS MANAGER  
P.O.-JAKALABANDHA  
DIST- NAGAON

ASSAM  
PIN-782136

5:M/S KANKARIA TEA LLP  
REPRESENTED BY ITS DESIGNATED DIRECTOR  
HAVING ITS REGISTERED OFFICE AT 88/89 SNEH NAGAR  
MAIN ROAD  
INDORE  
MADHYA PRADESH  
PIN-452001

6:MOUZADAR  
CHATIAL MOUZA  
JAKHALABANDHA  
DIST-NOWGAON  
ASSAM  
PIN-782136

7:MOUZADAR  
DWAR SHALNA MOUZA  
JAKHALABANDHA  
DIST-NOWGAON  
ASSAM  
PIN-782136

8:ASSISTANT LABOUR COMMISSIONER  
NAGAON  
DIST-NAGAON  
ASSAM  
PIN-782001

9:M/S BORHULA (S) TEA INDUSTRIES

A FIRM REGISTERED UNDER THE INDIAN PARTNERSHIP ACT  
1932  
WITH IT'S REGISTERED HEAD OFFICE AT M/S ELECTROKINGS  
THANA ROAD  
JORHAT  
PIN-785001 AND IT'S MANUFACTURING PREMISES AT SECONEE  
BAORHULLA GAON  
P.O. JAKHALABANDHA  
DISTRICT- NAGAON  
ASSAM  
PIN-782136 AND REPRESENTED BY IT'S MANAGING PARTNER SRI  
RAJKUMAR BORTHAKUR

**Advocate for the Petitioner** : R SARMAH, MR. K KAKOTI,MR. R B PHOOKAN,MR J BORAH

**Advocate for the Respondent** : DY.S.G.I., MR S .SAIKIA (R-9),MR N. BARUAH (R-9),MR R.J. DAS (R-9),MR. B SHARMA (R-4,5),MR. H DAS (R-4,5),MR. C K S BARUAH, CGC,SC, PNB

**BEFORE  
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**ORDER**

**Date : --**

**26.03.2026**

Heard the learned counsel for the parties at some length.

**2.** The learned counsel for the petitioner as well as the learned counsel, appearing for the respondent no.3 bank have submitted that the order of the Recovery Officer dated 08.03.2022, has to be restored and the amounts as apportioned therein, to the petitioner, respondent no.3 and others is required to be so distributed.

**3.** It is projected by the parties that an amount of Rs.2,43,21,867.37/- (Rupees Two Crore Forty Three Lakhs Twenty One Thousand Eight Hundred Sixty Seven and Thirty Seven Paise) has already been released to the Assistant Labour Commissioner, in terms of the order dated 08.03.2022. However, the amount as apportioned in favour of Mouzadar Satial Mouza and Mouzadar Dwar Salnah, has been released or not is not to the knowledge of the learned counsel for the parties.

**4.** The learned counsel for the parties have further submitted that the remaining balance amount after the apportionment was made and released, was kept in fixed deposit account, and the same continues to remain in the same said position as on date.

**5.** The learned counsel for the parties, on the next date of listing, shall apprise this Court with regard to the value of the fixed deposit receipt so made, as on 31.03.2026 and further as to the manner in which the said amount would now be required to be so apportioned between the petitioner and the respondent no.3, provided the money has already been released in favour of the other three entities who were also apportioned money out of the sale proceeds by the Recovery Officer vide the order dated 08.03.2022.

6. The said information be collected by the learned counsel for the parties and this Court be apprised of the same on the next date of listing.
7. Registry to list this matter again on **22.04.2026**.

**JUDGE**

**Comparing Assistant**