

GAHC010019432020



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

Case No. : WP(C)/575/2020

HINDUSTAN PAPER CORPORATION LTD. OFFICERS AND SUPERVISORS
ASSOCIATION AND 2 ORS.
HAVING ITS REGISTERED OFFICE AT KAGAJ NAGAR, JAGIROAD, DIST.
MORIGAON, ASSAM, REP. BY ITS GENERAL SECRETARY SRI KRISHNA
KANTA SUTRADHAR

2: HEMANTA KUMAR KAKATI
S/O LT. KESHOB CHANDRA KAKATI
R/O HPC TOWNSHIP
C 18/4
KAGAJ NAGAR
ASSAM
JAGIROAD
DIST. MORIGAON
ASSAM
PIN-782413

3: KRISHNA KANTA SUTRADHAR
S/O AMULYA SUTRADHAR
R/O HPC TOWNSHIP B 9/4 KAGAJ NAGAR
ASSAM
JAGIROAD
DIST. MORIGAON
ASSAM
PIN-78241

VERSUS

THE UNION OF INDIA AND 6 ORS.
REP BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HEAVY
INDUSTRIES ANS PUBLIC ENTERPRISES, GOVT OF INDIA, UDYOG
BHAWAN, NEW DELHI-110011

2:HINDUSTAN PAPER CORPORATION LTD.

REP .BY ITS CHAIRMAN CUM MANAGING DIRECTOR
HAVING ITS CORPORATE HEAD QRTR AT KOLKATA
75-C
PARK STREET
WEST BENGAL AND REGISTERED OFFICE AT NEW DELHI
4 THE FLOOR
SOUTH TOWER
SCOPE MINAR
LAXMI NAGAR DIST CENTRE
NEW DELHI-110092

3:HINDUSTAN PAPER CORPORATION LTD.
EMPLOYEES CONTRIBUTORY PROVIDENT FUND TRUST
REP. BY CHAIRMAN OF BOARD OF TRUSTEES
KOLKATA
75-C
PARK STREET
WEST BENGAL

4:THE REGIONAL PROVIDENT FUND COMMISSIONER EPFO
REGIONAL OFFICE AT PARK STREET
KOLKATA

5:THE EMPLOYEES PROVIDENT FUND
REP. BY THE ADDITIONAL CENTRAL PROVIDENT FUND COMMISSIONER
HAVING ITS OFFICE AT BHAVISHYA NIDHI BHAWAN
G.S. ROAD
BHANGAGARH
GUWAHATI-781005

6:INCOME TAX DEPTT.
REP.BY THE CHIEF COMMISSIONER OF INCOME TAX
NORTH EASTERN REGION
HAVING ITS OFFICE AT AAYKAR BHAWAN
G.S. ROAD
CHRISTAN BASTI
GUWAHATI-781005

7:KULDEEP VERMA
THE OFFICIAL LIQUIDATOR 46
B.B. GANGULY STREET
5TH FLOOR
ROOM NO. 501
KOLKATA-70002

Advocate for the Petitioner : MR. K N CHOUDHURY

Advocate for the Respondent : ASSTT.S.G.I.

**BEFORE
HONOURABLE THE CHIEF JUSTICE (ACTING)
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

11.11.2020

[N. Kotiswar Singh, CJ (Acting)]

Heard Mr. K.N. Choudhury, learned Senior counsel for the petitioners; Mr. R.K. Deb Choudhury, learned counsel appearing for the respondent no. 1; Mr. V. Sibal, learned counsel for the respondent nos. 2 and 7 and Mr. R.S. Mishra, learned counsel for the respondent no. 6.

In course of the proceeding it has been submitted that the Government of Assam has shown interest in taking over the mill and had made certain proposals and is seeking cooperation and assistance from the Central Government in the aforesaid endeavour. As there is a possibility of revival of the mill, in which event, it perhaps could take care of the grievance of the petitioners as well.

In that view of the matter, we are of the opinion that the State of Assam be made a respondent in this case so that they can give their views in this proceeding.

Accordingly, as already prayed by the learned Senior counsel for the petitioners, we allow impleadment of the State of Assam represented by Commissioner Secretary, Industries Department, Government of Assam as respondent no. 8. Learned counsel for the petitioners is permitted to make necessary correction in the causetitle by hand. The Registry to make correction in the system also.

Mr. K.K. Parasar, learned counsel accepts notice on behalf of newly impleaded respondent no. 8, State of Assam in this proceeding.

Accordingly, the State Government, respondent no. 8 as well as Union of India, respondent no. 1 will file their respective affidavits apprising this Court of the process, if any, for revival of the mill by the State Government and also any plan by the Central Government for release of the dues of the workers.

Let the affidavits be filed within 4 (four) weeks.

List the case on 06.01.2021.

JUDGE

CHIEF JUSTICE (ACTING)

Comparing Assistant