

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 7 ORS.
REP BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY OF HEAVY
INDUSTRIES AND 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-700021

8:THE STATE OF ASSAM
REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
DEPARTMENT OF COMMERCE AND INDUSTRIES

GUWAHATI
DISPUR- 06
ASSAM

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

06.01.2021

[*N. Kotiswar Singh, CJ (Acting)*]

Heard Mr. K.N. Choudhury, learned Senior counsel for the petitioners; Mr. P.K. Roy, learned counsel for the respondent nos. 4 & 5; Mr. S. Sarma, learned counsel for the respondent no. 6; Mr. A. Gayan, learned CGC for the respondent no. 1; Mr. V. Sibal, learned counsel for the respondent nos. 2 & 7 and Mr. H.K. Hazarika, learned counsel for the respondent no. 8.

When this matter was taken up on 11.11.2020, it was submitted at the Bar that the Government of Assam had shown interest in taking over the mill and had made certain proposals and also sought cooperation and assistance of the Central Government in this regard.

Considering the above submission made, this Court directed the State Government as well as the Union respondents to file their respective affidavits apprising this Court of the process, if any, for revival of mill by the State Government and also any plan by the Central Government for release of dues of the workers.

Today, learned counsel for the State as well as Union respondents have submitted that they have not received any instruction in this regard. We do not pass orders for the sake of passing orders, but do so for certain purposes. We would expect the authorities to take it little more seriously orders passed by this Court. Accordingly, we would expect the State respondent as well as Central Government to file their affidavits in this regard as to whether there is any such proposal or not and if not, let them say so in clear terms so that the matter can be taken up on its own merit without reference to any such contemplated proposal.

We accordingly expect the State as well as Union respondents to file their response without fail by the end of this month.

List the matter again on 05.02.2021 by showing the names of learned counsel for the parties.

JUDGE

CHIEF JUSTICE (ACTING)

Comparing Assistant