

GAHC040000672023



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

Case No. : IA(C) 14/2023

1:National Hydro Electric Power Corporation Limited (NHPC)
a Company incorporated and registered under the Companies Act, 1956 having its
registered Office at NHPC Complex, Sector 33, Faridabad (Haryana), through its
authorized representative, Takhe Habung, Son of Late Takhe Taku, Engineer (Civil),
Subansiri Lower Hydro Electric Project, NHPC Limited, Kolaptukar, Dollungmukh
Circle, District Lower Subansiri, Arunachal Pradesh

VERSUS

1:Regional Labour Commissioner (Central) cum Authority and 5 Ors.
under the Minimum Wages Act, 1948 for Guwahati Region, Guwahati, Assam.

2:Labour Enforcement Officer (Central)
at Tezpur
In Charge
Guwahati
II cum Assistant Labour Commissioner (Central) and Inspector under Minimum
Wages Act
1948

3:M/s Larsen and Toubro Limited
Represented by its Managing Director
ECC Division
Subansiri Lower Hydro Electricity Project
Gerukamukh
District Dhemaji
Assam
PIN 787035

4:Rotom Tem
Sub Contractor

Larsen and Toubro Limited
Village Kolaptukar
Dollungmukh Circle
District Lower Subansiri
Arunachal Pradesh
PIN 792110

5:THE STATE OF AP
through the Commissioner
Department of Labour
Govt. of Arunachal Pradesh
Itanagar
District Papum Pare
Arunachal Pradesh

6:The Union of India
Through the Secretary
Ministry of Labour and Employment
Govt. of India
Shram Shakt Bhawan
Rafi Marg
New Delhi 11000

Advocate for the Petitioner : Kamal Saxena

Advocate for the Respondent : GA (AP)

Linked Case : WP(C) 162/2018

1:NHPC LIMITED
THROUGH ITS AUTHORIZED REPRESENTATIVE
TAKHE HABUNG
S/O LT. TAKHE TAKU
ENGINEER CIVIL
SOBANSIRI LOWER HYDRO ELECTRIC PROJECT
NHPC LIMITED
KOLAPTUKAR
DOLLUNG MUKH CIRCLE
DIST. LOWER SUBANSIRI
AP.

VERSUS

1:REGIONAL LABOUR COMMISSIONERCENTRAL-CUM-AUTHORITY
UNDER THE MINIMUM WAGES ACT. 1948 FOR GUWAHATI REGION
GUWAHATI
ASSAM.

2:LABOUR ENFORCEMENT OFFICER CENTRAL
AT TEZPUR
INCHARGE
GUWAHATI-II-CUM-ASSISTANT LABOUR COMMISSIONERCENTRAL AND
INSPECTOR UNDER MINIMUM WAGES ACT
1948.

3:M/S LARSEN and TOUBRO LIMITD
REPRESENTED BY ITS MANAGING DIRECTOR
ECC DIVISION
SUBANSIRI LOWER HYDRO ELECTRICITY PROJECT
GERUKAMUKH
DIST. DHEMAJI
ASSAM
PIN -787035

4:M/S SHAKTI COMMODITIES PRIVATE LIMITED
REPRESENTED BY ITS DIRECTOR
SHOBAN SINGH BIST
ROOMJ NO. 21
2ND FLOOR
SHYAMLAI ROAD
DARYAGANJ
NEW DELHI-110002.

5:THE STATE OF A.P.
THROUGH THE COMMISSIONER
DEPTT. OF LOABOUR
GOVT. OFAP
ITANAGAR
DIST. PAPUM PARE
AP.

6:THE UNION OF INDIA
THROUGH THE SECRETARY
MINISTER OR LABOUR and EMPLOYMENT
GOVT. OF INDIA
SHRAM SHAKTI BHAWAN
RAFI MARG

NEW DELHI-110001.

Advocate for the Petitioner : MrsS Nag

Advocate for the Respondent : GA (AP)

Linked Case : WP(C) 543/2017

1:NHPC LIMITED

HAVING ITS REGISTERED OFFICE AT NHPC COMPLEX

SECTOR 33

FARIDABAD

HARYANA

2: SHRI TAKHE HABUNG

AUTHORITY SIGNATORY

NHPC

KOLAPTUKAR

DOLLUNGAMUKH CIRCLE

LOWER SUBANSIRI DISTRICT

AP

VERSUS

1:THE STATE OF AP

REPRESENTED BY THE COMMISSIONER

LABOUR

GOVT OF AP

ITANAGAR

2:REGIONAL LABOUR COMMISSIONER CENTRAL

AUTHORITY UNDER THE MINIMUM WAGES ACT

1948

GUWAHATI

ASSAM

3:M/S EXCEL SOLUTION

SUB CONTRACOTR LandT LTD

GERUKAMUKH

DHEMAJI DISTRICT

ASSAM

4:THE MANAGING DIRECTOR

M/S LandT LTD

ECC DIVISION

SUBANSIRI LOWER HE PROJECT

GERUKAMUKH

DHEMAJI DISTRICT

ASSAM

Advocate for the Petitioner : MrsS Nag
Advocate for the Respondent : GA (AP)

Linked Case : IA(C) 16/2023

1:NHPC Limited
Having its Registered Office at NHPC Complex
Sector 33 Faridabad
Haryana

Represented by Shri Takhe Habung
Authority Signatory
NHPC Kolaptukar Dollungmukh Circle
Lower Subansiri.

VERSUS

1:THE STATE OF AP and 3 Ors.
Represented by the Commissioner
Labour
Govt. of AP
Itanagar.

2:Regional Labour Commissioner Central Authority
under the Minimum Wages Act 1948 Guwahati
Assam.

3:M/s Excel Solution
Sub Contractor L and T LTD Gerukamukh
Dhemaji District
Assam.

4:The Managing Director
M/s L and T ECC Division

Subansiri Lower HE Project Gerukamukh Dhemaji District Assam.

Advocate for the Petitioner : Kamal Saxena
Advocate for the Respondent : GA (AP)

Linked Case : IA(C) 15/2023

1:National Hydro Electric Power Corporation Limited (NHPC)
a Company incorporated and registered under the Companies Act
1956 having its registered Office at NHPC through its authorized representative
Takhe Habung
Son of Late Takhe Taku
Engineer (Civil)
Subansiri Lower Hydro Electric Project
NHPC Limited
Kolaptukar
Dollungmukh Circle
District Lower Subansiri
Arunachal Pradesh.

VERSUS

1:Regional Labour Commissioner (Central) cum Authority and 5 Ors.
Under the Minimum Wages Act
1948 for Guwahati Region
Guwahati
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2:Labour Enforcement Officer (Central)
at Tezpur
In Charge
Guwahati
II cum Assistant Labour Commissioner (Central) and Inspector under Minimum
Wages Act
1948

3:M/s Larsen and Toubro Limited
Represented by its Managing Director
ECC Division
Subansiri Lower Hydro Electricity Project
Gerukamukh
District Dhemaji
Assam
PIN 787035

4:M/s Shakti Commodities Private Limited
Represented by its Director

Shoban Singh Bist
Room No. 21
2nd Floor
Shyamlal Road
Daryaganj

New Delhi 110002

5:THE STATE OF AP
Through the Commissioner

Department of Labour
Govt. of Arunachal Pradesh
Itanagar
District Papum Pare
Arunachal Pradesh.

6:The Union of India
Through the Secretary
Minister of Labour and Employment
Govt. of India
Shram Shakti Bhawan
Rafi Marg
New Delhi 110001

Advocate for the Petitioner : Kamal Saxena
Advocate for the Respondent : GA (AP)

Linked Case : WP(C) 163/2018

1:NHPC LIMITED
THROUGH ITS AUTHORIZED REPRESENTATIVE
SHRI TAKHE HABUNG
S/O LT. TAKHE TAKU
ENGINEER
CIVIL SOBANSIRI LOWER HYDRO ELECTRIC PROJECT
NHPC LIMITED
KOLAPTUKAR
DOLLUNG MUKH CIRCLE
DIST. LOWER SUBANSIRI
AP. MOBILE NO. 8811071101

VERSUS

1:REGIONAL LABOUR COMMISSIONER CENTRAL-CUM-AUTHORITY
UNDER THE MINIMUM WAGES ACT. 1948 FOR GUWAHATI REGION
GUWAHATI
ASSAM.

2:LABOUR ENFORCEMENT OFFICER CENTRAL AT TEZPUR
INCHARGE

GUWAHTI
II

3:M/S LARSEN and TOUBRO LIMITED
REPRESENTED BY ITS MANAGING DIRECTOR
ECC DIVISION
SUBANSIRI LOWER HYDRO ELECTRICITY PROJECT
GERUKAMUKH
DIST. DHEMAJI
ASSAM
PIN-787035

4:ROTHOM TEM
SUB-CONTRACTOR
LARSEN and TOUBRO LIMITED
VILLAGE KOLAPTUR
DILLUNGAMUKH CIRCLE
DIST. LOWER SUBANSIRI
AP. PIN 792110.

5:THE STATE OF A.P.
THROUGH THE COMMISSIONER
DEPTT. OF LABOUR
GOVT. OF AP
ITANAGAR
DISTRICT
PAPUM PARE
AP.

6:THE UNION OF INDIA
THROUGH THE SECRETARY
MINISTER OF LABOUR and EMPLOYMENT
GOVT. OF INDIA
SHRAM SHAKTI BHAWAN
RAFI MARG
NEW DELHI-110001.

Advocate for the Petitioner : MrsS Nag
Advocate for the Respondent : MrM Kato

**BEFORE
HONBLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 06-06-2023

Heard Mr. P. K. Tiwari, learned standing counsel for the NHPC, representing the applicant. Also heard Ms. G. Ete, learned Additional Senior Government Advocate representing respondent no. 5.

This interlocutory application is filed by the applicant to grant leave to amend WP(C)163(AP)/2018 and to allow to correct the address of respondent no. 3 in the file of the Court.

Mr. Tiwari, learned standing counsel representing the applicant submits that the respondent no. 3 has wrongly been mentioned in the cause title of the WP(C)163(AP)/2018 and therefore, service of notice upon respondent no. 3 could not be completed and accordingly prays to amend the cause title of WP(C)163(AP)/2018.

Having heard the submission of learned counsels for both the parties and also considering the circumstances on record, this interlocutory application is disposed of with a liberty granted to the applicant to amend the cause title of WP(C)163(AP)/2018 as proposed in Paragraph-4 of the writ petition.

The interlocutory application stands disposed of in terms above.

JUDGE

Comparing Assistant