

GAHC010270722025



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

Case No. : I.A.(Civil)/3981/2025

THE MANGEMENT OF BATA INDIA LTD
HAVING ITS CORPORATE OFFICE AT 418/02, BATA HOUSE, MG ROAD,
SECTOR 17, GURGAON, HARYANA- 122001 REPRESENTED BY ITS
AUTHORISED REPRESENTATIVE SRI HITESWAR ROY, AREA SALES
MANAGER, NE REGION, BATA INDIA LTD.

VERSUS

SRI HRIDAYANANDA PHUKAN AND ANR
S/O- LATE BAPU RAM PHUKAN, R/O- VILL- SALAL GAON, P.S-
LAKHIMPUR, P.O- PANIGAON, DIST- LAKHIMPUR, ASSAM, EX EMPLOYEE,
M/S BATA SHOP NORTH LAKHIMPUR

2: PRESIDING OFFICER
LABOUR COURT
ASSAM
PANBAZAR
GUWAHATI- 781001
DIST- KAMRUPM
ASSA

Advocate for the Petitioner : MR. T R SARMA, MR. A K ROY

Advocate for the Respondent : MR. P P DUTTA (R-1), MS P SARMA (R-1), MS. P P DAS (R-1)

Linked Case : WP(C)/2274/2017

THE MANAGEMENT OF BATA INDIA LTD

HAVING ITS CORPORATE OFFICE AT 418/02
BATA HOUSE
MG ROAD
SECTOR 17
GURGAON
HARYANA- 122001 REPRESENTED BY ITS AUTHORISED REPRESENTATIVE
MR. DIPANKAR ROY
DISTRICT MANAGER

VERSUS

HRIDAYANANDA PHUKAN and ANR.
S/O- LATE BAPU RAM PHUKAN
R/O- VILL- SALAL GAON
P.S- LAKHIMPUR
P.O- PANIGAON
DIST- LAKHIMPUR
ASSAM
EX EMPLOYEE
M/S BATA SHOP NORTH LAKHIMPUR

2: PRESIDING OFFICER
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ASSAM
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GUWAHATI- 781001
DIST- KAMRUPM
ASSAM

Advocate for : MR.T ROY
Advocate for : MR.A BHATTACHARYYAR-1 appearing for HRIDAYANANDA
PHUKAN and ANR.

Linked Case : MC/54/2025

THE MANAGEMENT OF BATA INDIA LTD
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SRI HITESWAR ROY
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VERSUS

SRI HRIDAYANANDA PHUKAN AND ANR
S/O- LATE BAPU RAM PHUKAN
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2: PRESIDING OFFICER
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GUWAHATI- 781001
DIST- KAMRUPM
ASSAM

Advocate for : MR. T R SARMA
Advocate for : appearing for SRI HRIDAYANANDA PHUKAN AND ANR

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

19.01.2026

Heard Shri T.R. Sarma, learned counsel for the applicant, who by means of this application has prayed for condonation of delay of 61 days in filing the connected Misc Case for restoration of WP(C)/2274/2017.

Shri Sarma, the learned counsel has submitted that the restoration application was indeed filed within the prescribed period of time which however was done as an I.A. The same was however not accepted by the Filing Section and subsequently, the Misc Case had to be filed and in the process there has

been a delay of 61 days. He submits that the delay is not at all intentional and there is no negligence.

Shri P.P. Dutta, learned counsel for the respondent no. 1 has submitted that he would not have serious objection in the aspect of condonation of delay under the facts and circumstances of the case.

In view of the above, the delay in filing MC/54/2025 connected to WP(C)/2274/2017 is condoned.

I.A. stands allowed.

Let the MC/54/2025 be listed on 20.02.2026.

Since the writ petition is pending since the year 2017 and this Court has also been apprised that there is no full compliance of Section 17B of the Industrial Disputes Act, 1947, Shri Sarma, the learned counsel is directed to obtain necessary instructions in this regard.

This Court would also make an endeavour for an early disposal of the writ petition after passing appropriate orders in the Misc Case.

JUDGE

Comparing Assistant