

/425436/2023

( 2 )

No Labr/<sup>717</sup>...../1(2) – IR      Dated <sup>10-08</sup>.....2023

Copy forwarded for information to:

1. The Judge, Seventh Industrial Tribunal with reference to his Memo No. 954 -L.T. dated 26/07/2023.
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.

<sup>sdt</sup>  
Assistant Secretary

No. Labr/<sup>717</sup>...../2(5) – IR      Dated <sup>10-08</sup>.....2023

Copy with a copy of the Award is forwarded for information & necessary action to:

1. M/s. Pulse Pharmaceuticals Pvt. Ltd., C/o R. A. Pharma Agencies, H. No. 5, 3<sup>rd</sup> Floor, Keola Bhavan, 5, Kustia Road, Kolkata - 700039.
2. Sri Subrata Saha, S/o Sri Sanatan Saha, Nandan Nagar, Netaji Pally, Block – 'B', Kolkata - 700083.
3. The Assistant Labour Commissioner, W.B., In-Charge of Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B., New Secretariat Building (11<sup>th</sup> Floor), 1, Kiran Sankar Roy Road, Kolkata - 700001.
- ✓ 5. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.

  
Assistant Secretary

H.A.(IT)  
11/08/2023  
Dipankar  
11/08/2023



1/425436/2023

Government of West Bengal  
Labour Department  
I.R. Branch

N.S. Building, 12<sup>th</sup> Floor  
1, K.S. Roy Road, Kolkata - 700001

No. Labr/.717/(LC-IR)/22015(16)/39/2023 Date:10-08-2023

**ORDER**

WHEREAS an industrial dispute existed between M/s. Pulse Pharmaceuticals Pvt. Ltd., C/o R. A. Pharma Agencies, H. No. 5, 3<sup>rd</sup> Floor, Keola Bhavan, 5, Kustia Road, Kolkata - 700039 and workman Sri Subrata Saha, S/o Sri Sanatan Saha, Nandan Nagar, Netaji Pally, Block - 'B', Kolkata - 700083 regarding the issues being a matter specified in the Second schedule of the Industrial Dispute act, 1947 (14of 1947);

AND WHEREAS the workman has filed an application directly under sub-section 2 of Section 2A of the Industrial Dispute act, 1947 (14of 1947) to the Judge, Seventh Industrial Tribunal Specified for this purpose under this Department Notification No. 101-IR dated 2.2.12;

AND WHEREAS the Seventh Industrial Tribunal has submitted to the State Government its Award dated 03/07/2023 in case No. 05/2020 of 2A (2) on the said Dispute vide memo no. 954 -L.T. dated 26/07/2023.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Governor is pleased hereby to publish the said Award as shown in the Annexure hereto.

**ANNEXURE**

(Attached herewith)

By order of the Governor,

*Sd/-*  
Assistant Secretary  
to the Government of West Bengal



Before the 7<sup>th</sup> Industrial Tribunals, Kolkata

Case No. 05/2020 of 2A(2)

Under Section 2A(2) of the Industrial Disputes Act, 1947

Present : Ms. Yogita Gaurisaria, Judge,  
Seventh Industrial Tribunal, Kolkata

Sri Subrata Saha, S/o Sri Sanatan Saha, Nandan Nagar , Netaji Pally, , Block – 'B',  
Kolkata – 700 083.

Vs.

M/s. Pulse Pharmaceuticals Pvt. Ltd., C/o R.A. Pharma Agencies, H.No. 5, 3<sup>rd</sup> Floor, Keola  
Bhavan, 5, Kustia Road, Kolkata – 700 039, H.O.: Plot No. 18/1, Sector –III, Huda Techno  
Enclave, Hitech City, Madhapur, Hyderabad, Pin Code – 500-081.

A W A R D

DATED : 03/07/2023

Today is fixed for passing order in respect of the petition supported by an affidavit  
filed by the applicant on 19.06.2023 for withdrawal of the dispute /case pending before this  
Tribunal.

The case record is taken up for passing order.

Heard both sides. Considered.

Perused the withdrawal petition supported by affidavit as well as evidence of the  
applicant Subrata Saha (P.W.1) and Sri Prasenjit Ghosh ( O.P.W.1), Business Manager  
and authorized representative of the O.P./Company so adduced in support of said  
withdrawal petition and also Exbt. A (Xerox copy of letter of authorization dated  
15.06.2023). a

On perusal of the withdrawal petition along with the case record and evidence, it  
appears that the matter in dispute has already been settled in between the parties in terms  
of withdrawal petition dated 19.06.2023. I further find from the evidence of both parties  
that the company has assured to the applicant that the O.P./Company will pay Rs. 50,000/-  
at a time in lieu of back wages along with first month salary and also further assured that  
he shall be reemployed being a confirmed sales promotion employee as fresh appointment.  
They further assure that he shall be given fitment in the scale as he would have been in the  
employment at present. and the applicant ( P.W.1) has no grievance against the  
O.P./Company at present.

Contd.....P/2



(2)

The withdrawal petition dated 19.06.2023 has been filed and duly signed by the applicant, Sri Subrata Saha (P.W.1) voluntarily. Since the matter has already been settled between the parties to the proceedings and the applicant is willing to withdraw the case/dispute and prays for passing no dispute award as withdrawn, I am of the view that this Tribunal should not stand in the way of their such settlement and when the applicant is willing to withdraw the case/dispute pending before this Tribunal, hence, this Tribunal finds no impediment in allowing prayer of withdrawal as made by the applicant voluntarily.

Hence, it is

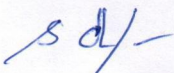
O r d e r e d

that the withdrawal petition dated 19.06.2023 filed by the applicant is allowed and accordingly, the Case being No.05/2020 under Section 2A(2) of the Industrial Disputes Act, 1947, as amended be and the same is disposed of with the order of no dispute award as the same being withdrawn by the applicant.

This is my Award.

Let six (6) copies of the Award be sent to the appropriate authority for information and taking necessary action.

Dictated & corrected by me.



Judge

**Judge**  
**Seventh Industrial Tribunal**



( Yogita Gaurisaria )

Judge

7<sup>th</sup> Industrial Tribunal

Kolkata

03.07.2023

**Judge**

**Seventh Industrial Tribunal**