

I/436811/2023

Government of West Bengal
Labour Department, I. R. Branch
N. S. Building, 12th Floor, 1, K.S. Roy Road, Kolkata – 700001

No. Labr./ 847 /(LC-IR)/22015(16)/22/2022

Date : 14/09/2023

ORDER

WHEREAS an industrial dispute existed between M/s K.N.D. Engineering Technologies Limited & Anr., 7A, Hospital Street, 2nd Floor, Kolkata - 700072 and its workman Shri Ranjit Samanta, Vill.- thakurchak, P.O.- Balichak, P.S.- Debra, Dist.- West Midnapur, Pin - 721124 regarding the issues being a matter specified in the second schedule of the Industrial Dispute act, 1947 (14 of 1947);

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

AND WHEREAS the said Seventh Industrial Tribunal has submitted to the State Government its Award dated 04.08.2023 in Case No. 32/2A(2) of 2018 on the said Dispute vide Memo No. 1042 - L.T. dated 04.08.2023.

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 Order as shown in the Annexure hereto.

ANNEXURE

(Attached herewith)

By order of the Governor,

Sd/-
Assistant Secretary
to the Government of West Bengal

No. Labr/ 847 /1(2)/(LC-IR)

Date : 14/09/2023

Copy forwarded for information to :

1. The Judge, Seventh Industrial Tribunal, N.S. Building, 3rd Floor, 1, K.S. Roy Road, Kolkata - 700001 with reference to his Memo No. 1042 - L.T. dated 04.08.2023.
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.

Sd/-
Assistant Secretary

No. Labr/ 847 /2(5)/(LC-IR)

Date : 14/09/2023

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

1. M/s K.N.D. Engineering Technologies Limited & Anr., 7A, Hospital Street, 2nd Floor, Kolkata - 700072.
2. Shri Ranjit Samanta, Vill.- thakurchak, P.O.- Balichak, P.S.- Debra, Dist.- West Midnapur, Pin - 721124.
3. The O.S.D. & E.O. Labour Commissioner, W.B., New Secretariat Building (11th Floor), 1, Kiran Sankar Roy Road, Kolkata – 700001.
- ✓ 4. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.
5. Office Copy.

Sd/-
Assistant Secretary

Before The Seventh Industrial Tribunal, West Bengal

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

Case No. 32/2A(2) of 2018

Ranjit Samanta, Village – Thakurchak, P.O. Balichak, P.S. Debra, Dist.
Midnapur (W), Pin – 721 124 (W.B.)Applicant

-VS-

M/S. K.N.D. Engineering Technologies Limited & Anr.,

Corporate Office : 7A, Hospital Street, 2nd Floor, Kolkata – 700 072.

..... Opposite Party

A W A R D

Dated 04.08.2023

Applicant Ranjit Samanta is absent without steps.

O.P. /Company is absent.

Today is fixed for passing no dispute award.

Case record is taken up for passing no dispute award.

This case has been filed by the applicant/workman Ranjit Samanta u/s 2A(2) of the Industrial Disputes Act, 1947 against his employer M/S. K.N.D. Engineering Technologies Limited in connection with termination of his service by way of refusal of employment illegally with a prayer to reinstate him in service with full back wages and other consequential benefits.

Perused the case record wherefrom it appears that the applicant was not appearing in this Tribunal since long and as such, considering the conduct of the applicant, on 09.06.2022 order was passed to issue notice upon the applicant asking him to appear personally before this Tribunal on 26.07.2022 and file show cause as to why no dispute award shall not be passed. Thereafter, on 17.01.2023 the applicant was found absent on repeated calls inspite of notice

sdl/-
Judge
Seventh Industrial Tribunal



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(2)

to file show cause was properly served upon him and the instant case was adjourned on that day and 30.03.2023 was fixed to file show cause . Since thereafter, the applicant is not appearing in this Tribunal nor has filed any show cause. The applicant did not bother to appear before this Tribunal personally or file show cause and this Tribunal holds that the applicant is not willing to proceed with his present case.

In view of the aforesaid conduct of the applicant, this Tribunal holds that no industrial disputes exist in between the parties. So, I am inclined to pass a 'No Dispute' Award on the footings that Industrial Disputes under Rule 22 under West Bengal Industrial Dispute Rules, 1958 is no longer in existence.

Hence, it is

Ordered

that the case being No. 32 of 2018 u/S 2A(2) of the Industrial Disputes Act, 1947 be and the same is dismissed for non existence of any Industrial Dispute. This is to be treated as ' No Dispute Award '.

This is my award.

Dictated & corrected by me.

sd/-
Judge

Judge
Seventh Industrial Tribunal.

sd/-
(Yogita Gaurisaria)
Judge, 7th Industrial Tribunal
Kolkata
04.08.2023

Judge
Seventh Industrial Tribunal.

