

1/451644/2023

(2)

No Labr/⁹⁸⁸...../1(2) – IR

Dated 06/11/2023

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. 1287 -L.T. dated 04/10/2023.
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.

Solt
Assistant Secretary

No. Labr/⁹⁸⁸...../2(5) – IR

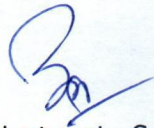
Dated 06/11/2023

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

1. M/s. Bagri Estates Pvt. Ltd. & Anr., 7, Lyons Range, 2nd Floor, Kolkata - 700001.
2. Sri Shivram Singh, S/o Late Ram Singh, 71, Biplabi Rash Behari Basu Road, Kolkata - 700001.
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 (11th 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.

H.A. (IT)
06/11/2023

Dipankar
KS
06/11/2023


Assistant Secretary

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

No. Labr/. 988 / (LC-IR)/22015(16)/13/2022 Date: 06/11/2023

ORDER

WHEREAS an industrial dispute existed between M/s. Bagri Estates Pvt. Ltd. & Anr., 7, Lyons Range, 2nd Floor, Kolkata - 700001 and workman Sri Shivram Singh, S/o Late Ram Singh, 71, Biplabi Rash Behari Basu Road, Kolkata - 700001 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 21/09/2023 in case No. 06/2018/2A (2) on the said Dispute vide memo no. 1287 -L.T. dated 04/10/2023.

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,

Sdt
Assistant Secretary
to the Government of West Bengal

Before The Seventh Industrial Tribunal, West Bengal

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

Case No. 06 of 2018

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

Sri Shivram Singh, S/o Late Ram Singh, 71, Biplabi Rash Behari Basu Road,
Kolkata-700 001.....-Applicant

-VS-

M/s. Bagri Estates Pvt. Ltd. & Anr.

7, Lyons Range, 2nd Floor, Kolkata-700 001 —Opposite Parties

A W A R D

Dated 21.09.2023

Sri Shivram Singh 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 Sri Shivram Singh u/s 2A(2) of the Industrial Disputes Act, 1947 against his employer M/s. Bagri Estates Pvt. Ltd. in connection with termination of his service 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 as the applicant was not appearing before this Tribunal since 05.03.2020, considering the conduct of the applicant, on 03.11.2021 order was passed to issue notice upon the applicant asking him to appear personally before this Tribunal on 24.12.2021 and file show cause as to why no dispute award shall not be passed against him. Thereafter, on 23.05.2022 this Tribunal passed an order

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scf/-
Judge
Seventh Industrial Tribunal

(2)

in view of the Order dated 08.11.2021 to pass no dispute award. Since 05.03.2020 as the applicant is/was not appearing in this Tribunal nor has filed any show cause, accordingly, this Tribunal was/is under impression that the applicant did not bother to appear before this Tribunal personally or file show cause and as such, 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. 06 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.

soft
Judge

Judge

Seventh Industrial Tribunal



soft

(Yogita Gaurisaria)

Judge, 7th Industrial Tribunal

Kolkata

21.09.2023

Judge

Seventh Industrial Tribunal