

I/349155/2022

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/ 1113 . . /(LC-IR)/22015(16)/55/22 Date: 16/12/2022.

**ORDER**

WHEREAS under the Government of West Bengal, Labour Department Order No. Labr/696/(LC-IR) dated 25/06/1998 the Industrial Dispute between M/s. Infar (India) Ltd., 7, Wood Street, Calcutta - 700016 and its workman Sri Madan Mohan Ghosh, C.I.T. Quarters, Block No. - 2, Room No. - 21, 19/19/1. Pitambar Ghatak Lane, Calcutta - 700024 regarding the issue mentioned in the said order, being a matter specified in the Second / Third Schedule to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Judge, Third Industrial Tribunal, West Bengal.

AND WHEREAS the Third Industrial Tribunal, West Bengal, has submitted to the State Government its award dated 10/02/2020 on the said Industrial Dispute vide memo no. 1737 - L.T. dated - 29/11/2022.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Dispute 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/-

Joint Secretary  
to the Government of West Bengal

No. Labr/.1113/1(5) / (LC-IR)

Date: 16/12 . . /2022.

Copy, with a copy of the Award, forwarded for information and necessary action to:

1. M/s. Infar (India) Ltd., 7, Wood Street, Calcutta - 700016.
2. Sri Madan Mohan Ghosh, C.I.T. Quarters, Block No. - 2, Room No. - 21, 19/19/1. Pitambar Ghatak Lane, Calcutta - 700024.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B. New Secretariate Building, 1, K. S. Roy Road, 11<sup>th</sup> Floor, Kolkata- 700001.
- ✓ 5. The Sr. Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.

  
Joint Secretary

No. Labr/1113/2(2) / (LC-IR)

Date: 16/12 . . /2022.

Copy forwarded for information to:

1. The Judge, Third Industrial Tribunal, West Bengal with reference to his Memo No. 1737 - L.T. dated - 29/11/2022.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.

Joint Secretary

In the matter of an Industrial Disputes exists between M/s Infar (India) Ltd, 7, Wood Street, Calcutta – 700 016 and their Workman named Sri Madan Mohan Ghosh, C.I.T. Quarters, Block No. – 2, Room No. – 21, 19/19/1. Pitambar Ghatak Lane, Calcutta – 700 024.

**Government order of reference No. 696-IR dated 25.06.1998 of the Labour Department, Government of West Bengal.**

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**BEFORE THE FIRST INDUSTRIAL TRIBUNAL: WEST BENGAL**

**PRESENT**

**SHRI UTTAM KUMAR NANDY, JUDGE  
FIRST INDUSTRIAL TRIBUNAL, KOLKATA**

**Date of Order: 10.02.2020**

**Case No.: VIII – 89/1998**

Today is fixed for passing appropriate order.

Workman is absent.

It is now 01:00 PM, on repeated calls Workman is found absent and none appears for Workman to ventilate their grievances or submission if any before this tribunal.

Ld. Counsel for the Company is present.

Record is taken up for passing appropriate order.

On perusal of the record, it is seen that on 04.04.2019 a petition was filed on behalf of the Company praying for allowing the employer to be represented through its authorised representative Sri Sankar Ghosh.

I have perused all orders being passed by this tribunal and Hon'ble High Courts and apex Courts also with due care. Since bone of contention of the appointment of Sri Amar Roy to be allowed for the employer to place their matter before this Tribunal is ended on the death of Mr. Amar Roy, I find there is no reason to go otherwise in allowing the employer to be represented through its authorised representative Sri Sankar Ghosh.

Hence it is ordered that the petition dated 04.04.2019 is allowed on ex-parte, Mr. Sankar Ghosh is allowed to represent the employer the instant case before this tribunal.



At this stage, another application has been filed on behalf of the Company praying for dismissal of the instant proceeding with cost for default on the part of the Workman / applicant as the instant matter is being regularly appeared and heard before this Tribunal, although the employer / company is regularly appearing during hearing but the workman did not appear inspite of several notices being served upon the Workman from this Tribunal and therefore, employer / company submits that this Tribunal to be pleased to dismiss the proceedings for default on the part of the workman with cost.

The petition is taken up for hearing. Heard Ld. Counsel for the representative of the employer / company.

Perused the petition and the record thoroughly.

It is fact that the workman is absent since long for a period of couple of years or more.

I find no reason to continue the proceeding further as it would be a waste of time of this Tribunal.

It is now 01:30 PM. On repeated calls none appears for the Workman. Considered the submission of Ld. Representative of the Company.

Hence, the record is taken up for order.

It is

ORDERED

that this instant case be and the same is dismissed for non-prosecution against the Workman who is not taking any step for a considerable period, with cost Rs. 500/-.

Sd/-

Dictated & corrected by me

Sd/-

(Uttam Kumar Nandy)  
Judge

JUDGE  
FIRST INDUSTRIAL TRIBUNAL  
WEST BENGAL

(Uttam Kumar Nandy)  
Judge  
First Industrial Tribunal  
Kolkata

JUDGE  
FIRST INDUSTRIAL TRIBUNAL  
WEST BENGAL

