

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

No. Labr/223 . ./(LC-IR)/22015 (16) / 5 / 2022

Date : 24/03 /2022

ORDER

WHEREAS an industrial dispute existed between M/s. Barasat Wholesale Consumer Co-operative Society Ltd. 12, K. N. C. Road, Barasat, North 24 Parganas, Kolkata - 700124 and Shri Ardhendu Sekhar Paul, 13C/6, Ghola Kachari Road, Barasat, North 24 Parganas, Kolkata - 700124 regarding the issue, being a matter specified in the Second schedule to the Industrial Dispute Act, 1947 (14 of 1947);

AND WHEREAS the workman has filed an application under section 10(1B)(d) of the Industrial Dispute Act, 1947 (14 of 1947) to the First Industrial Tribunal specified for this purpose under this Deptt.'s Notification No. 1085-IR/12L-9/95 dated 25.07.1997.

AND WHEREAS, the First Industrial Tribunal heard the parties under section 10(1B)(d) of the I.D. Act, 1947 (14 of 1947) and framed the following issue dismissal of the workman as the "issue" of the dispute.

AND WHEREAS the First Industrial Tribunal has submitted to the State Government its Award dated 15/03/2022 under section 10(1B)(d) of the I.D. Act, 1947 (14 of 1947) on the said Industrial Dispute vide memo no.354- L.T. dated 16/03/2022.

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

: 2 :

No. Labr/.223. .1/(5)/(LC-IR)

Date : 24/03/2022

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

1. M/S. Barasat Wholesale Consumer Co-operative Society Ltd. 12, K. N. C. Road, Barasat, North 24 Parganas, Kolkata – 700124.
2. Shri Ardhendu Sekhar Paul, 13C/6, Ghola Kachari Road, Barasat, North 24 Parganas, Kolkata – 700124.
3. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B., New Secretariat Buildings, (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.



Joint Secretary

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

Date/202

Copy forwarded for information to :-

1. The Judge, First Industrial Tribunal West Bengal, with respect to his Memo No. 354-L.T. dated 16/03/2022.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata – 700001.

Joint Secretary

In the matter of an industrial dispute between Shri Ardhendu Sekhar Paul, 13C/6, Gholā Kachari Road, Barasat, North 24 Parganas, Kolkata 700 124 against his employer M/s Barasat Wholesale Consumer Co-operative Society Ltd. 12, K. N. C. Road, Barasat, North 24 Parganas.

Case No. 02/2018 u/s 10(1b)(d) of the Industrial Dispute Act 1947

BEFORE THE FIRST INDUSTRIAL TRIBUNAL: WEST BENGAL

PRESENT

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

Date of Order: 15.03.2022

Case No.: 02/2018 u/s 10(1b)(d)

This is an application u/s 10(1b)(d) of the Industrial Disputes Act, 1947 as amended, has been filed by the Workman Shri Ardhendu Sekhar Paul, 13C/6, Gholā Kachari Road, Barasat, North 24 Parganas, Kolkata 700 124 on 26.03.2018 against his employer M/s Barasat Wholesale Consumer Co-operative Society Ltd. 12, K. N. C. Road, Barasat, North 24 Parganas in connection with his termination of service by his employer with a prayer before this tribunal to pass an award holding that the aforesaid termination of service w.e.f. 29.07.2016 by the employer is arbitrary, unjustified and illegal and also to pass an order granting reinstatement in service with full back wages along with all consequential benefits.

Thereafter, the opposite party Company filed its Written Statement on 07.08.2018. After exchange of List of Documents and after framing of issues the Workman was examined and cross-examined in full as PW-1.

At this stage i.e. on 15.03.2022 the Workman petitioner files a verified petition stating inter alia that the petitioner Workman does not desire to continue the instant case and prays before this Tribunal to allow him to withdraw the instant case.

The Workman is examined again on his prayer to withdraw the case and no cross is offered by the opposite side Company and accordingly the evidence stands closed for both sides.



On perusal of the petition, I find no impediment to allow the prayer of the petitioner specially when there is no objection from the other side.

Hence it is

ORDERED

That the petition filed by the Workman Shri Ardhendu Shekhar Paul be and the same is allowed on consent without any cost and the applicant, therefore, is permitted to withdraw the case on his own peril and accordingly the instant case is disposed of as there is no dispute being remains for adjudication.

This is my Award.

The Award be sent to the Government.

Sd/-

(Uttam Kumar Nandy)
Judge
First Industrial Tribunal
Kolkata

Dictated & corrected by me.

Sd/-

(Uttam Kumar Nandy)
Judge

JUDGE
FIRST INDUSTRIAL TRIBUNAL
WEST BENGAL

JUDGE
FIRST INDUSTRIAL TRIBUNAL
WEST BENGAL

