

I/191045/2022

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

No. Labr./ 461 / (LC-IR)/22015(16)/11/2022

02-05  
Date : ... ..2022

**ORDER**

WHEREAS an industrial dispute existed between M/s Apollo Fiege Integrated Logistics Pvt. Ltd., Apollo Towers, Plot No. 2, Sector 44, Gurgaon, Pin - 122002 and its workman Sri Samareswar Ghosh, 79/1, Raj Ballav Saha Lane, Howrah - 711101 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 19.04.2022 on the said Dispute vide Memo No. 548 - L.T. dated 21.04.2022.

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/*

Joint Secretary

to the Government of West Bengal

Labr/461  
No. .... /1(2) - IR (LC)  
Copy forwarded for information to :

02-05  
Date : ... ..2022

1. The Judge, Seventh Industrial Tribunal with reference to his Memo No. 548 - L.T. dated 21.04.2022.
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.

*sd/*

Joint Secretary

Labr/461  
No. .... /2(6) - IR (LC)

02-05  
Date : ... ..2022

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

1. M/s Apollo Fiege Integrated Logistics Pvt. Ltd., Apollo Towers, Plot No. 2, Sector 44, Gurgaon, Pin - 122002.
2. Sri Samareswar Ghosh, 79/1, Raj Ballav Saha Lane, Howrah - 711101.
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.
6. Office Copy.

*sd/*

Joint Secretary

Before The Seventh Industrial Tribunal, West Bengal

Present: Shri Ashis Kumar Das, Judge, Seventh Industrial Tribunal.

**Case No.38/2A(2) of 2018**

Samarewar Ghosh, Ex-employee of Apollo Fiege Integrated Logistics Pvt. Ltd.,  
being designated as Senior Executive, residing at 79/1, Raj Ballav Saha Lane,  
Howrah – 711 101.

.....Applicant

-VS-

M/s. Apollo Fiege Integrated Logistics Pvt. Ltd, having its Head Office at Apollo  
Towers, Plot No. 2, Sector 44, Gurgaon, Pin – 122 002

.....Opposite Party

**A W A R D**

**Dated 19.04.2022**

Applicant Sri Samarewar Ghosh is absent without steps.

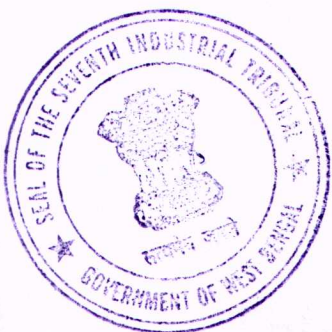
O.P. /Company is also absent without steps.

Today is fixed for passing no dispute order in view of order no. 20 dt.  
18.03.2021.

Case record is taken up for passing order.

This case has been filed by the applicant/workman Samarewar Ghosh U/s  
2A(2) of the Industrial Disputes Act, 1947 against his employer M/s. Apollo  
Fiege Integrated Logistics Pvt. Ltd. in connection with termination of his service  
with effect from 01.09.2016 illegally with a prayer to reinstate him in service with  
full back wages and other consequential benefits and also costs and interests  
thereto.

Perused the case record wherefrom it is seen that on 18.03.2021 the case  
was fixed for evidence of applicant's side, but applicant was found absent on that  
day on repeated calls and considering the previous conduct of the applicant, this  
Tribunal issued notice to the applicant directing him to show cause as to why a no  
dispute award shall not be passed in the instant case. It further appears from the  
record that in view order dt. 18.03.2021 show cause notice under registered post  
with A/D was sent to the applicant and from the A/D card, so received, it appears  
that the said show cause notice was duly served upon the applicant on 21.03.2022,  
but the applicant did not think it necessary to appear before this Tribunal till today





and also did not think it necessary to file show cause in view of order no. 20 dt. 18.03.2021. Therefore, it is clear that the applicant is not willing to proceed with his present case further.

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. 38 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/-

(Ashis Kumar Das )  
Judge

7<sup>th</sup> Industrial Tribunal  
Kolkata  
19.04.2022

*Judge*  
Seventh Industrial Tribunal