

I/191454/2022

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./...../LC-IR)/22015(16)/13/2022

Date : ... .. 2022

ORDER

WHEREAS an industrial dispute existed between 1. Bagree Estates Pvt. Ltd. 2. Smt. Radha Bagree, 3. Sri Varun Raj Bagree, 4. The Executive Officer, 7, Lyons Range, 2<sup>nd</sup> Floor, Kolkata - 700001 and their workman Sri Basukinath Dubey, Bagree Market, Premises No. 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 (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 Judge, Seventh Industrial Tribunal specified for this purpose under this Department Notification No. 101-IR dated 2.2.12;

AND WHEREAS the said Judge, Seventh Industrial Tribunal has submitted to the State Government its Award dated 21/04/2022 on the said Dispute vide memo no. 581 - L. T. dated 26/04/2022.

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,



Joint Secretary  
to the Government of West Bengal

I/191454/2022

(2)

No.Labr 469...../1(2) - IR

05-05-  
Date : ... .. 2022

Copy forwarded for information to:

1. The Judge, Seventh Industrial Tribunal with reference to his Memo No. 581 - L. T. dated 26/04/2022.
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.

SIV  
Joint Secretary

No. Labr 469...../2(5) - IR

05-05-  
Date : ... .. 2021

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

1. Bagree Estates Pvt. Ltd. 7, Lyons Range, 2<sup>nd</sup> Floor, Kolkata - 700001.
2. Sri Basukinath Dubey, Bagree Market, Premises No. 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 (11<sup>th</sup> Floor), 1, Kiran Sankar Roy Road, Kolkata - 700001.
- ✓ 5. The Deputy, IT Cell, Labour Department, with the request to cast the Award in the Department's website.

Pratibha  
Joint Secretary



Before The Seventh Industrial Tribunal, West Bengal

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

**Case No.15 of 2018**

Basukinath Dubey, Bagree Market, Premises No. 71, Biplabi Rash Behari Basu Road, Kolkata – 700 001.

.....Applicant

-VS-

1. Bagree Estates Pvt. Ltd, 2. Smt. Radha Bagree, 3. Sri Varun Raj Bagree, 4. The Executive Officer, 7, Lyons Range, 2<sup>nd</sup> Floor, Kolkata – 700 001.

.....Opposite Parties

**A W A R D**

**Dated 21.04.2022**

Applicant Basukinath Dubey is absent without steps.

Today is fixed for passing No Dispute Award.

Case record is taken up for passing order.

This case has been filed by the applicant/workman Basukinath Dubey U/s 2A(2) of the Industrial Disputes Act, 1947 against his employers M1. Bagree Estates Pvt. Ltd, 2. Smt. Radha Bagree, 3. Sri Varun Raj Bagree, 4. The Executive Officer, 7, Lyons Range, 2<sup>nd</sup> Floor, Kolkata – 700 001 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 is seen that on 07.10.2021 case was fixed for ex parte argument, but the applicant was found absent on that day on repeated calls and considering the conduct of the applicant, this Tribunal issued notice to the applicant directing him to submit show cause on 17.12.2021 as to why no dispute award shall not be passed in the instant case. It further appears from the record that in view order dt. 07.10.2021 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 12.11.2021, but the applicant did not think it necessary to appear before this Tribunal even also on the last date i.e. on 08.04.2022 and also did not think it necessary to file show cause in view of order no. 51 dt. 07.10.2021 till today. Therefore, it is clear that the applicant is not willing to proceed with his present case further.



(2)

In view of the aforesaid conduct of the applicant, this Tribunal holds that no industrial dispute exists 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. 15 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

Sd/-  
(Ashis Kumar Das )  
Judge  
7<sup>th</sup> Industrial Tribunal  
Kolkata  
21.04.2022

