

I/154760/2021

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/1878/(LC-IR)/ 22015(16)/32/2021

Date : 05/10/ 2021

**ORDER**

WHEREAS an industrial dispute existed between M/s The Himalaya Drug Company, 15, Elgin Road, Kolkata - 700020 and its workman Sri Sanjoy Saha, S/o Late Rabindranath Saha, 24, S.C. Dey Road, Baidyabati, Serampore, Dist. - Hooghly, Pin - 712222 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 filled an application under section 10(1B)(d) of the Industrial Dispute Act, 1947 (14 of 1947) to the Seventh Industrial Tribunal, Kolkata specified for this purpose under this Deptt.'s Notification No. 1085-IR/12L-9/95 dated 25.07.1997;

AND WHEREAS the said Seventh Industrial Tribunal, Kolkata has submitted to the State Government its Award dated 23.09.2021 under section 10(1B)(d) of the I.D. Act, 1947 (14 of 1947) on the said Industrial Dispute vide Memo No. 1149 - L.T. dated 28.09.2021;

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/1878/1(5)/(LC-IR)

Date : 05/10/ 2021

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

1. M/s The Himalaya Drug Company, 15, Elgin Road, Kolkata - 700020.
2. Sri Sanjoy Saha, S/o Late Rabindranath Saha, 24, S.C. Dey Road, Baidyabati, Serampore, Dist. - Hooghly, Pin - 712222.
3. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The OSD & EO Labour Commissioner, W.B., New Secretariat Buildings, (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.

*[Signature]*  
Joint Secretary

No. Labr/1878/2(2)/(LC-IR)

Date : ... .. 2021

Copy forwarded for information to :-

1. The Judge, Seventh Industrial Tribunal, Kolkata, with respect to his Memo No. 1149 - L.T. dated 28.09.2021.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.

Joint Secretary



In the Seventh Industrial Tribunal, West Bengal  
New Secretariat Buildings, Kolkata

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

**CASE NO. 11 of 2021**

**Under Section 10(1B) (d) of the Industrial Disputes Act, 1947, as amended.**

**Sri Sanjoy Saha**

...Applicant

S/o Late Rabindranath Saha  
24, S.C. Dey Road, Baidyabati,  
Dist. Hooghly, Pin Code : 712 222.

*-Versus-*

**M/s. The Himalaya Drug Company**

...OP/Company

Corporate Office : Makali, Bengaluru,  
Pin – 562 162  
State Office : 15, Elgin Road  
Kolkata – 700 020.

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**AWARD**

**Dated : 23-09-2021**

Applicant Sanjoy Saha is present with his Ld. Advocate.

Today is fixed for appearance of the O.P./Company and filing written statement together with list of documents.

At this stage, one verified petition for withdrawal of the instant case has been filed by the applicant.

The above petition is taken up for hearing.

Heard Ld. Advocate for the applicant as well as applicant Sanjoy Saha in person, who submits that due to change of the address of the O.P./Company from Kolkata to Howrah, the territorial jurisdiction of the instant case falls under the jurisdiction of 2<sup>nd</sup> Industrial Tribunal, Kolkata and so, the instant case is required to be withdrawn and filed before the 2<sup>nd</sup> Industrial Tribunal, Kolkata and so, he prays for permission to withdraw the instant case against the O.P./Company. He further submits that he has voluntarily filed the present withdrawal petition and also voluntarily puts his signature thereon.

Perused the present petition for withdrawal along with case record. This is a case U/S 10(1B)(d) of Industrial Disputes Act, 1947, filed by the applicant Sanjoy Saha against O.P./M/s. The Himalaya Drug Company. Now, applicant prays for permission to withdraw the instant case on the ground that the instant matter falls under the jurisdiction of 2<sup>nd</sup> Industrial Tribunal, Kolkata as the office at Kolkata of the O.P./Company has been shifted to Howrah. Considered. I think that the prayer of the applicant for withdrawal the instant case should be allowed since the matter falls under the jurisdiction of 2<sup>nd</sup> Industrial Tribunal, Kolkata.



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(2)

Hence, it is,

**ORDERED**

that the petition for withdrawal dated 23.09.2021 is allowed without costs.

Applicant namely, Sri Sanjoy Saha is permitted to withdraw the instant Case No. 11 of 2021 under Section 10(1B)(d) of the Industrial Disputes Act, 1947, as amended, with a liberty to file before the appropriate jurisdiction afresh.

The instant proceedings stands disposed of as withdrawn.

**This is my Award.**

Let six 6 (six) copies of the Award be sent to the Appropriate Authority for information and taking necessary action.

Dictated & corrected by me

*Sd/-*  
Judge

Judge  
Seventh Industrial Tribunal



Sd/-  
(Ashis Kumar Das)  
Judge,  
Seventh Industrial Tribunal,  
Kolkata  
23/09/2021

Judge  
Seventh Industrial Tribunal