

**Government of West Bengal  
Labour Department  
I.R. Branch  
N.S. Buildings, 12<sup>th</sup> Floor, Kol-1**

**No.Labr./168/(LC-IR)/22015(14)/295/2019**

**Date : 14.02.2019**

**ORDER**

WHEREAS an industrial dispute existed between M/s Bhoj Narain Tea Estate, P.O.- Kamala Bagan, Dist- Darjeeling - 734426 and their workman Sri Ghanashyam Thakur, S/o- Late B.N. Thakur, Bhoj Narain Tea Estate, P.O.- Kamala Bagan, Dist- Darjeeling - 734426 regarding the issue, 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, Sixth Industrial Tribunal Specified for this purpose under this Department's Notification No. 101-IR dated 02.02.2012.

AND WHEREAS, the said Judge, Sixth Industrial Tribunal has submitted to the State Government its Award on the said Industrial Dispute.

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



**Deputy Secretary to the  
Government of West Bengal.**

**No. Labr./168/1(2)/(LC-IR)**

**Date : 14.02.2019**

Copy forwarded for information to :-

1. The Judge, Sixth Industrial Tribunal with reference to his Memo No.60/I.T.  
Dated 20.11.2018
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.



**Deputy Secretary to the  
Government of West Bengal**

**No. Labr./168/2(5)/(LC-IR)**

**Date : 14.02.2019**

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

1. **M/s Bhoj Narain Tea Estate, P.O.-Kamala Bagan, Dist- Darjeeling – 734426.**
2. **Sri Ghanashyam Thakur, S/o- Late B.N. Thakur, Bhoj Narain Tea Estate, P.O.- Kamala Bagan, Dist- Darjeeling – 734426.**
3. The Assistant Labour Commissioner, W.B., In-Charge of Labour Gazette.
4. The Labour Commissioner , W.B., N.S. Buildgs.(11th Floor),1, K.S. Roy Road, Kol-1.
- ✓ 5. The O.S.D. IT Cell, Labour Department, with the request to cast the Award in the Department's Website.



**Deputy Secretary to the  
Government of West Bengal**

**Sabita/IR/14022019**



Before the Judge, Sixth Industrial Tribunal  
North Bengal Region at Jalpaiguri  
Nawab Bari Judicial Complex  
Jalpaiguri.

Case No. VIII-07/2015(VI)

Present: Sri B. N. Bhaduri, Judge,  
Sixth Industrial Tribunal, North Bengal Region at Jalpaiguri  
Nawab Bari Judicial Complex, Jalpaiguri.

Ghanashyam Thakur S/o Late B.N.Thakur of  
Bhoj Narain Tea Estate, P.O. Kamala Bagan,  
Dist.Darjeeling-734426.

.....Applicant/Workman

-VS-

The Manager, Bhoj Narain Tea Estate  
P.O. Kamala Bagan, Dist.Darjeeling-734426

.....Employer.

Order No.14 dt. 01/11/2018

The employee and the employer have not taken any steps today. Today is fixed for passing necessary order for hearing of the petition dt. 10.03.2016.

On careful perusal of the record it is found that the workman Ghanashyam Thakur filed this case directly to this Tribunal for setting aside the order of dismissal. Accordingly, the case was started and notices were issued in Form No.D2 fixing 06/11/2015 for SR, appearance and for further order. It is found that notices were served and both the parties appeared. It is also found that several chances have been given to the employee as well as employer for hearing of the petition dt. 10.03.2016 filed by the employer. Today no step has been taken by the employee as well as employer for hearing of the petition dt. 10.03.2016. It is clear that more than 3 years elapsed but both the parties have failed to appear for hearing of the petition dt. 10.03.2016. Since last few dates no step has been taken by both the parties. Therefore, it is clear that the petitioner has no interest in the further proceeding of this case and there is also no reasonable ground to keep this case pending any more.

Under such circumstances, I have no other alternative but to hold that the Industrial Disputes raised in between the parties to this case is no longer in existence and accordingly the case is to be disposed of as per provision of Rule-22 of the West Bengal Industrial Disputes Rules, 1958. Hence it is

ORDERED

That this Industrial Dispute between the parties to this case is no longer in existence and accordingly no award is passed. The case is disposed of accordingly.

Copy of this "No Dispute Award " be sent to the Assistant Secretary, Labour Department, I.R. Branch, Govt. of West Bengal, New Secretariat Buildings, Block-A, 12<sup>th</sup> Floor, 1, K. S. Ray Road, Kolkata-700001, for his information with a request to publish the same in the Calcutta Gazette within 30 days from the date of its receipt.

Sd/-  
( Baidya Nath Bhaduri )  
Judge,  
Sixth Industrial Tribunal  
Jalpaiguri.

Sd/-  
( Baidya Nath Bhalduri )  
Judge,  
Sixth Industrial Tribunal  
Jalpaiguri.



True copy

Baidya Nath  
JUDGE  
Sixth Industrial Tribunal  
Jalpaiguri  
01/11/2018