

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

No.Labr./270/(LC-IR)/IR/11L-28/18

Date 11.03.2019

ORDER

WHEREAS an industrial dispute existed between M/S: Cordlife Science India Pvt. Limited P.L. Deuti Road, Bishnupur, South 24 Parganas, Pin-743503 and their workman Shri Ajay Kumar Masih, Pragati Pally, 716, M.G. Road, Thakurpukur, Kolkata-700063 regarding the issue, being a matter specified 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 Judge, Eighth Industrial Tribunal specified for this purpose under this Department's Notification No. 1085-IR/12L-9/95 dated 25.07.1997.

AND WHEREAS, the Judge of the said Eighth Industrial Tribunal heard the parties under section 10(1B)(d) of the I.D.Act, 1947 (14 of 1947) ;

AND WHEREAS, the said Judge Eighth Industrial Tribunal has submitted to the State Government its Award under section 10(1B)(d) of the I.D.Act, 1947 (14 of 1947) on the said Industrial Dispute.

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



Deputy Secretary to the
Government of West Bengal.

No. Labr./270/1(5)/(LC-IR)

Date : 11.03.2019

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

1. M/S: Cordlife Science India Pvt. Limited P.L. Deuti Road, Bishnupur, South 24 Parganas, Pin-743503.
2. Shri Ajay Kumar Masih, Pragati Pally, 716, M.G. Road, Thakurpukur, Kolkata-700063.
3. The Assistant Labour Commissioner , W.B. In-Charge, Labour Gazette.
4. The Labour Commissioner , W.B., N.S. Buildings.(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


No. Labr./270/2(2)/(LC-IR)

Date : 11.03.2019

Copy forwarded for information to :-

1. The Judge, Eighth Industrial Tribunal, West Bengal, with respect to his Memo No. 2398 ,dated 07.12.2018.
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.

Deputy Secretary to the
Government of West Bengal


Sabita/IR/11032019

BEFORE THE SEVENTH INDUSTRIAL TRIBUNAL, WEST BENGAL
PRESENT: **SHRI MADHU SUDAN DUTTA, JUDGE, EIGHTH INDUSTRIAL TRIBUNAL.**

CASE NO.04 OF 2016 U/S 10(1B)(d)

SRI AJAY KUMAR MASIH, PRAGATI PALLY, 716, M.G. ROAD, THAKURPUKUR,
KOLKATA – 700 063

.....Applicant

-VS-

M/S. CORDLIFE SCIENCE INDIA PVT. LTD., P.L. DEUTY ROAD, BISHNUPUR, SOUTH 24
PARGANAS – 743 503.

.....Opposite Party

AWARD

Upon receiving an application U/s. 10(1B) (d) of the Industrial Disputes Act, 1947, as amended, from the workman Sri Ajay Kumar Masih, Pragati Pally, 716, M.G. Road, Thakurpukur, Kolkata-700063 against his employer M/s. Cordlife Science India Pvt. Ltd., P.L. Deuty Road, Bishnupur, South 24 Parganas - 743503 notices were served to the O.P. Company along with copy of application for filing written statement in triplicate.

Record reveals that the present reference bearing Case No. 04 of 2016 U/S 10(1B) (d) dated 18.08.2016 under Sec. 10(1B) (d) of the Industrial Disputes Act, 1947 for adjudication has been registered on 18.08.2016. Notice upon the O.P. Company was duly served. The company appeared on 16.09.2016 and prayed for time to file written statement. On 23.02.2017 Company filed written statement. Thereafter both parties filed their respective list of documents along with the documents.

Vide Order No. 20 dated 27.02.2018 issues were framed. On 21.03.2018 P.W. 1, Sri Ajoy Kumar Masih is examined in part. Thereafter several adjournments were granted for evidence of P.W.1, Sri Ajoy Kumar Masih but failed.

Even show-cause notices were sent to the applicant from this Tribunal in the interest of natural justice but the applicant did not care for appearing before this Tribunal for his further examination, far to speak even of filing reply to the show-cause.

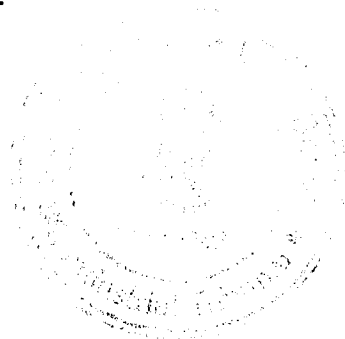
Such being the conduct of the applicant, I am constrained to say that to protect the judicial sanctity no further indulgence should be given to the applicant for granting further adjournment. In other words, due to non-appearance of the applicant on consecutive five (5) dates fixed earlier I am persuaded to safely presume that he is no more interested to proceed with this case. Therefore, I think that it is a fit case to pass a '**No Dispute Award**' under Rule 22 of Industrial Disputes Rules, 1958, the industrial dispute by and between the parties being treated as non-existent.

This is my **AWARD**.

Dictated & corrected by me.

Sd/- M. S. Dutta

Judge.



Sd/- M. S. Dutta

(Madhu Sudan Dutta)
Judge
Seventh Industrial Tribunal
Kolkata
29.11.2018