

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/. 74../(LC-IR)

Date 25.01.19

ORDER

WHEREAS an industrial dispute existed between Mr. Pawan Kumar Ganeriwal, Director of the Company M/S : Indo Thai Flexible Tubes Ltd. No.1, Kyd Street, Flat No. 17-B, palace Court, Kolkata-16 and their workman Sri Gopal Bhakta, Vill-Italey P.O. Chowkhola, P.s. Nodakhali, Dist -24 pgs (s) regarding the issues being a matter specified in the Third schedule of the Industrial Dispute act, 1947 (14of 1947);

AND WHEREAS the workman has filed an application directly under sub-section 2 of Section 2A of the Industrial Dispute act, 1947 (14of 1947) to the Judge, Second Labour Court Specified for this purpose under this Department Notification No. 101-IR dated 2.2.12;

AND WHEREAS the said Judge, Second Labour Court has submitted to the State Government its Award on the said 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/. 74../1(2)(IR)

Dated 25.01.19

Copy forwarded for information to :

1.The Judge, Second Labour Court with reference to his Memo No. 2537-LT dated 21.12.2018

2.The Joint Labour Commissioner (Statics), W.B., 6, Church Lane, Kolkata-700001.



Deputy Secretary

No. Labn./74/2(4) (LC-IR)

Dated 25.01.19

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

1. Mr. Pawan Kumar Ganeriwal, Director of the Company M/S : Indo Thai Flexible Tubes Ltd. No.1, Kyd Street, Flat No. 17-B, palace Court, Kolkata-16 .
2. Sri Gopal Bhakta, Vill-Italey P.O. Chowkhola, P.s. Nodakhali, Dist -24 pgs (s) .
3. The Assistant Labour Commissioner, W.B., In-Charge of Labour Gazette.
4. The Labour Commissioner, W.B., New Secretariat Building (11<sup>th</sup> Floor), 1, Kiran Sankar Roy Road, Kolkata - 700001.
- ✓ 5. The O.S.D., IT Cell, Labour Department, with the request to cast the Award in the Department's website.

  
Deputy Secretary

An application U/s. 2A(2) of the Industrial Disputes Act, 1947 filed by **Sri Gopal Bhakta, Vill-Italey, P.O-Chowkhola, P.S-Nodhakhali, Dist-24 Parganas(South)** against Mr. Pawan Kumar Ganeriwal, Director of the company, M/s. Indo Thai Flexible Tubes Ltd. No.1, Kyd Street, Flat No. 17-B, Palace Court, Kolkata-700 016

**(Case No. 06/14 U/s. 2A(2) of Industrial Disputes Act, 1947)**

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BEFORE THE SECOND LABOUR COURT, WEST BENGAL, KOLKATA

PRESENT: **SRI ARABINDA PANTI, JUDGE**  
SECOND LABOUR COURT  
KOLKATA.

Date: 18-12-2018

Today is posted for submission of show-cause by the applicant as last chance. But none appears on behalf of the applicant even after repeated calls. It is now 1.10 p.m.

It appears from record that due to non-taking steps and non-adducing evidence from the side of applicant, this court directed the applicant vide order No. 34 dated 08.08.2017 to submit show-cause explaining as to why no dispute award shall not be passed and next date was fixed on 18.09.2017 for submission of show-cause. Show-cause notice was sent to the applicant and thereafter his Ld. Advocate appeared and prayed for adjournment for filing show-cause. On and from the day of show-cause 10 days were adjourned and in the meantime almost one year four months has passed. It seems that the applicant is less interested with this case.

The applicant in his written statement made out the case that he came in employment under the O.P. on 27.08.2004 and was working in the factory without any adverse report or any blame. But the Opposite Party discontinued his service by way of refusal of employment w.e.f. 02.03.2013 illegally and wrongfully. By filing this case he prayed for directing the opposite party to reinstate and to pay full back wages.



As the applicant is disinterested with this case remaining absent either by himself or by his Ld. Advocate days together, this court has no alternative but to pass a no dispute award.

Hence, it is

Ordered

that the instant case filed under Section 2A(2) of the Industrial Disputes Act, 1947 be and the same is dismissed for non-prosecution and no Industrial Dispute exists in the instant case for the present.

This is the award passed by this court and accordingly, the instant case is disposed of finally.

Dictated and corrected by me

*sd / -*  
Judge

*sd / -*  
(Arabinda Panti)  
Judge, 2<sup>nd</sup> Labour Court  
Kolkata.

Judge  
Second Labour Court W.B.

