

I/33193/2018

Government of West Bengal  
Labour Department, I. R. Branch  
N.S. Buildings, 12th Floor  
1, K.S. Roy Road, Kolkata - 700001

No. Labr/ 992 / (LC-IR)

Date : 19.12.2018

**ORDER**

WHEREAS under the case no VIII-04/2007(VI) of the Industrial Dispute Act, 1947 the Industrial Dispute between M/s Ganesh Biri Factory, Kalahati, Thana Road, P.O. Dhupguri, Dist: Jalpaiguri and their workman Shri Karen Barman, S/O: Late Mahesh Barman, Vill. Uttar Baragari, P.O. Bidyashram, Dist. Jalpaiguri regarding the issue mentioned in the said order, being a matter specified in the Second Schedule to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Judge, 6th . Industrial Tribunal, West Bengal.

AND WHEREAS the Judge of the said 6th. Industrial Tribunal, West Bengal, 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 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./ 992 / 1(5) / (LC-IR)

Date : 19.12.2018

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

1. M/s Ganesh Biri Factory, Kalahati, Thana Road, P.O: Dhupguri, Dit: Jalpaiguri .
2. Shri Karen Barman, S/O: Late Mahesh Barman, Vill. Uttar Baragari, P.O. Bidyashram, Dist. Jalpaiguri .
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The Labour Commissioner, W.B. New Secretariate Buildings, 1, K. S. Roy Road, 11<sup>th</sup> Floor, 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

I/33193/2018

No. Labr./992/2(2)/(LC-IR)Date : 19.12.2018

Copy forwarded for information to :

1. The Judge, 6th. Industrial Tribunal, West Bengal with reference to his Memo No. 66-L.T. dated 26/11/2018 .
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.

Deputy Secretary

415417/2018/ESTT SEC(LABR)

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

Case No. VIII-04/2007 (VI)

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

Sri Karen Barman S/o Late Mahesh Barman  
Resident of Vill. Uttar Baragari,  
P.O. Bidyashram, Dist. Jalpaiguri.

.....The applicant

-VS-

Sri Ganesh Prasad  
Proprietor, Ganesh Biri Factory,  
Kalahati, Thana Road, P.O. Dhupguri,  
Dist. Jalpaiguri.

.....The Opposite Party

Order No.51 dt. 16/11/2018

The employee and the employer have not taken any steps today. Today also none appeared on repeated calls.

On careful perusal of the record it is found that the workman Sri Karen Barman 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 13/08/2007 for SR, appearance and for further order. It is found that notices were served and both the parties appeared. Since last few dates no step has been taken by the employee and the employer. 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

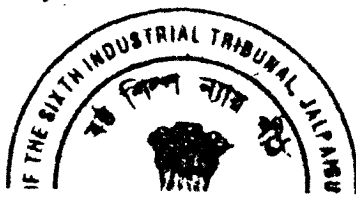
ORDERED

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 )



Sd/-

( Baidya Nath Bhalduri )  
Judge,

True Copy

Baidya Nath Bhaduri

JUDGE  
Sixth Industrial Tribunal  
Jalpaiguri