

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

No. Labr/ 1184 /1(LC-IR)/ 22015(16)/129/2025

Date : 16/10/2025

ORDER

WHEREAS under Labour Department's Order No. 1231-IR/IR/11L-131/04 (Pt) dated 28.09.2005/05.10.2005 with reference to the Industrial Dispute between M/s Desh Bandhu Mistanna Bhandar, 227, Mahatma Gandhi Road, Kolkata – 700007 and legal representative Smt. Manju Ghosh of its deceased workman Sandip Ghosh, represented by Calcutta Sweetmeat Shops Mazdoor Union, 112, Kalighat Road, Kolkata – 700026, regarding the issues mentioned in the said order, being a matter specified in the Second Schedule of the Industrial Dispute Act' 1947 (14 of 1947), was referred for adjudication to the 1st Industrial Tribunal, Kolkata.

AND WHEREAS the 1st Industrial Tribunal, Kolkata, has submitted to the State Government its Award dated 22.09.2025 in Case No. VIII – 118 of 2005 on the said Industrial Dispute Vide e-mail dated 24.09.2025 in compliance of Section 10(2A) of the I.D. Act' 1947.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Dispute Act' 1947 (14 of 1947), the Governor is hereby pleased to publish the said Award in the Labour Department's official website i.e wblabour.gov.in.

By order of the Governor,


Assistant Secretary
to the Government of West Bengal

No. Labr/ 1184 /1(5)/(LC-IR)/ 22015(16)/129/2025

Date : 16/10/2025

Copy forwarded for information and necessary action to:

1. M/s Desh Bandhu Mistanna Bhandar, 227, Mahatma Gandhi Road, Kolkata – 700007.
2. Smt. Manju Ghosh, represented by Calcutta Sweetmeat Shops Mazdoor Union, 112, Kalighat Road, Kolkata – 700026.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B. New Secretariat Building, 1, K. S. Roy Road, 11th Floor, Kolkata- 700001.
5. The Deputy Secretary, IT Cell, Labour Department with request to cast the Award in the Department's website.


Assistant Secretary
to the Government of West Bengal

No. Labr/ 1184 /2(3)/(LC-IR)/ 22015(16)/129/2025

Date : 16/10/2025

Copy forwarded for information to :

1. The Judge, 1st Industrial Tribunal, Kolkata, N.S. Building, 1, K.S. Roy Road, Kolkata-700001 with reference to e-mail dated 24.09.2025.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.
3. Office Copy.


Assistant Secretary
to the Government of West Bengal

In the matter of an Industrial Dispute between M/s Desh Bandhu Mistanna Bhandar, 227, Mahatma Gandhi Road, Kolkata – 700 007 and legal Representative Smt. Manju Ghosh of their deceased employee Sri Sandip Ghosh, represented by Calcutta Sweetmeat Shops Mazdoor Union, 112, Kalighat Road, Kolkata – 700 026.

[Case No.: VIII – 118 of 2005]

G.O. No. 1231-IR/IR/11L-131/04 (Pt) dated 28.09.2005/05.10.2005.

BEFORE THE FIRST INDUSTRIAL TRIBUNAL, WEST BENGAL

P R E S E N T

CHOWDHURY HEFAZAT KARIM

**Judge, First Industrial Tribunal
Kolkata.**

A W A R D

Dated: 22.09.2025.

This purported industrial dispute existing between M/s Desh Bandhu Mistanna Bhandar, 227, Mahatma Gandhi Road, Kolkata – 700 007 and their employee Sri Sandip Ghosh, represented by Calcutta Sweetmeat Shops Mazdoor Union, 112, Kalighat Road, Kolkata – 700 026 emanates out of an order of reference vide G.O. No. 1231-IR/IR/11L-131/04 (Pt) dated 28.09.2005/05.10.2005 in exercise of the power conferred by Section 10 read with Section 2A of the Industrial Disputes Act, 1947 (14 of 1947) which has been sent to this Tribunal for adjudication on the following issues:-

ISSUE(S)

1. Whether the termination of services of Sri Sandip Ghosh (Bappa) w.e.f. 19.03.2004 by the management is justified?
2. What relief, if any, is he entitled to?

Today is the date fixed for filing show cause by the substituted legal representative of the applicant/workman and appearance of OP/Employer.

None appears on behalf of substituted legal representative of workman as well as the OP/Employer.

It is now 12:45 PM. On repeated outside calls none appear on behalf of either of the confronting parties.

On careful perusal of the case record, it reveals that this is a long pending case initiated in the year of 2005.

The original workman Sri Sandip Ghosh in the meantime has expired and the wife of deceased workman Smt. Manju Ghosh has been substituted as legal representative.

It further reveals that this substituted legal representative is absent without steps on and from 19.10.2022.

In the meantime the talking of amicable settlement was going on, but unfortunately the legal representative has become absent for long time.

It is pertinent to mention that Notice dated 20.10.2022 upon substituted legal representative was sent but neither she came to the court nor she has taken any proper steps to proceed with the case on merits.

It is also relevant to state that that show cause Notice was sent to her on 28.03.2025. Thereafter, this substituted legal representative became again absent without step.

In view of the above and having considered the conduct and lackadaisical attitude of the legal substituted representative I find no alternative but to hold that it is a fit case to dismiss for non prosecution with a finding that 'No Industrial Dispute' between the parties is in existence.

Thus, it is

ORDERED

That the Award is passed to the effect that 'No Industrial Dispute is in existence between the parties.

Accordingly the case stands disposed of.

This is my Award.

Let a copy of this order be sent on line in PDF form to the Secretary, Labour Department, Government of West Bengal, N.S. Buildings through the dedicated e-mail for information and doing subsequent action as per provision of law.

Dictated & Corrected by me

Sd/-

Judge

Sd/-

(Chowdhury Hefazat Karim)
Judge
First Industrial Tribunal,
Kolkata.
22.09.2025