

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

No. Labr/ 1390 /(LC-IR)/ 22015(16)/154/2025

Date : 08-12-2025

ORDER

WHEREAS under Labour Department's Order No. Labr/761/(LC-IR)/22015(17)/1/2018 dated 04.07.2025 with reference to the Industrial Dispute between M/s Mahindra & Mahindra Financial Services Limited, 9th Floor, Eco – Centre, Plot – 04, Block – EM, Sector – V, Bidhannagar, Kolkata – 700091 and its workman Smt. Sumitra Maiti, Jadavpur, Garfa, Senpara, Kolkata - 700075, 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 01.12.2025 in Case No. 21/2025 on the said Industrial Dispute Vide e-mail dated 02.12.2025 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 **labour.wb.gov.in**.

By order of the Governor,


Assistant Secretary
to the Government of West Bengal

No. Labr/ 1390 /1(5)/(LC-IR)/ 22015(16)/154/2025

Date : 08-12-2025

Copy forwarded for information and necessary action to:

1. M/s Mahindra & Mahindra Financial Services Limited, 9th Floor, Eco – Centre, Plot – 04, Block – EM, Sector – V, Bidhannagar, Kolkata – 700091.
2. Smt. Sumitra Maiti, Jadavpur, Garfa, Senpara, Kolkata - 700075.
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/ 1390 /2(3)/(LC-IR)/ 22015(16)/154/2025

Date : 08-12-2025

Copy forwarded for information to :

1. The Judge, 1st Industrial Tribunal, Kolkata, with reference to e-mail dated 02.12.2025.
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 Mahindra & Mahindra Financial Services Limited, 9th Floor, Eco – Centre, Plot – 04, Block – EM, Sector – V, Bidhannagar, Kolkata - 700091 and its workman Smt. Sumitra Maiti, Jadavpur, Garfa, Senpara, Kolkata - 700075.

[Case No.: 21/2025 u/s 10]

G.O. No. Labr/761/(LC-IR)/22015(17)/1/2018 dated 04.07.2025

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: 01.12.2025.

This purported industrial dispute existing between M/s Mahindra & Mahindra Financial Services Limited, 9th Floor, Eco – Centre, Plot – 04, Block – EM, Sector – V, Bidhannagar, Kolkata - 700091 and its workman Smt. Sumitra Maiti, Jadavpur, Garfa, Senpara, Kolkata - 700075 emanates out of an order of reference vide G.O. No. Labr/761/(LC-IR)/22015(17)/1/2018 dated 04.07.2025 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 Smt. Sumitra Maiti w.e.f. 06.03.2021 by the management of M/s. Mahindra & Mahindra Financial Services Limited is justified?
2. What relief, if any, the workman is entitled to?

Today is the date fixed for filing Written Statement by the OP/Company and S/R appearance of the applicant.

None appears on behalf of the OP/Company on repeated outside calls.

It is now 12:30 PM.

One report from the Garfa Police Station with regard to serve the Notice upon the applicant Smt. Sumitra Maity, is received. In which the one Constable of Garfa Police Station has stated that the attached summon could not be served as the address of the addressee could not be fixed up. This report is duly forwarded by Officer-in-Charge of Garfa Police Station.

It is pertinent to mention that this case is initiated on 09.07.2025 on the basis of Order of Reference vide G. O. No. Labr/761/(LC-IR)/22015(17)/1/2018 dated 04.07.2025 of the Government of West Bengal. In a reference order, it is revealed that the copy of this reference order was duly intimated to OP M/s Mahindra & Mahindra Finance Limited and to the applicant mentioning Smt. Sumitra Maity, Jadavpur, Garfa, Senpara, Kolkata – 700 075 along with other competent officers.

Accordingly, from this Tribunal Notice was issued upon the applicant on such above address as well upon the OP/Company through Speed Post.

OP/Company after receiving such Notice on 14.08.2025 appeared before this Court by filing Vakalatnama but Notice upon the applicant was received on 14.08.2025 with a Postal remark “in sufficient address”.

Then, on 19.08.2025 again Notice upon the applicant was sent through Speed Post by fixing next date 04.09.2025. Again on 04.09.2025 the Notice was received unserved with a Postal remark “in-sufficient address” by the postal staff dated 26.08.2025.

Then, to ensure the appearance of the applicant, the Notice was served through I.C., Jadavpur Police Station by fixing the date on 04.09.2025. That Notice was received unserved with a report from the O.C. Jadavpur, with a report that after enquiry, it came to know that the jurisdiction of the applicant lies in the Garfa Police Station.

Accordingly, the Notice was again served through Garfa Police Station by fixing the date on 01.12.2025 i.e. today.

Today the report of the Garfa Police Station shows that no such address of applicant is traced out within their jurisdiction. Resultantly the Notice is received ‘unserved’.

In the above circumstances, the Tribunal is having no option but to pass “No Dispute Award”.

As such,

it is ordered that no industrial dispute is in existence between the parties and accordingly ‘No Dispute Award’ is passed.

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.
01.12.2025