

I/199582/2022

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/ ১৭১/(LC-IR)/22015(13)/1/2020

Date: 14/06/2022.

**ORDER**

WHEREAS under the Government of West Bengal, Labour Department Order No. Labr/1467/I.R dated 06/10/2020 the Industrial Dispute between M/s. Adi Amrita Bastralaya, 55B, Rash Behari Avenue, Ballygunge, Kolkata - 700029 and its workman Sri Susanta Das, S/o Sri Aurobinda Das, 119/21/A, Sarat Ghosh Garden Road, Kolkata - 700031 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, Seventh Industrial Tribunal, West Bengal.

AND WHEREAS the Seventh Industrial Tribunal, West Bengal, has submitted to the State Government its award dated 27/05/2022 on the said Industrial Dispute vide memo no. 803 - L. T. dated. 01/06/2022.

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,



Joint Secretary  
to the Government of West Bengal

I/199582/2022

No. Labr/. 591/157 (LC-IR)

Date: 14/06/2022.

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

1. M/s. Adi Amrita Bastralaya, 55B, Rash Behari Avenue, Ballygunge, Kolkata - 700029.
2. Sri Susanta Das, S/o Sri Aurobinda Das, 119/21/A, Sarat Ghosh Garden Road, Kolkata - 700031.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B. New Secretariate Buildings, 1, K. S. Roy Road, 11<sup>th</sup> Floor, Kolkata- 700001.
5. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.

  
Joint Secretary

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

Date: . . . . . /2022.

Copy forwarded for information to:

1. The Judge, Seventh Industrial Tribunal, West Bengal with reference to his Memo No. 803 - L. T. dated. 01/06/2022.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.

Joint Secretary



Before The Seventh Industrial Tribunal, West Bengal

Present: Shri Ashis Kumar Das, Judge, Seventh Industrial Tribunal.

**Case No.11/of 2010 / 10**

Sri Susanta Das, son of Sri Aurobindo Das, 119/21/A, Sarat Ghosh Garden Road,  
Kolkata – 700 031.

.....Applicant

-VS-

M/s. Adi Amrita Bastralaya , 155B, Rash Behari Avenue, Ballygunge, Kolkata –  
700 029.

.....Opposite Party

**A W A R D**

**Dated 27.05.2022**

Applicant Sri Susanta Das is absent without steps.

O.P. /Company is present through its Ld. Advocate.

Today is fixed for passing no dispute award in view of order no. 13 dt.

16.03.2022.

This case has been initiated on the strength of an order of reference bearing G.O. No. Labr./1467/(LC-IR)/22015(13)/1/2020 dated 06.10.2020, issued by the Labour Department, Govt. of West Bengal referring an Industrial Dispute between M/s. Adi Amrita Bastralaya and its workman Sri Susanta Das U/s 10 read with Sub-Section 2A of the Industrial Disputes Act, 1947 for adjudication of two issues viz. 1) Whether the termination of service of Sri Susanta Das by way of retrench with effect from 24.05.2018 by the management of M/s Adi Amrita Bastralaya is justified ? 2) What relief, if any, the workman is entitled to?

Perused the case record wherefrom it is seen that on 16.03.2022 this case was fixed for filing list of documents along with documents by the parties, but applicant was found absent on that day without steps. Considering such conduct of the applicant, this Tribunal issued notice under registered post with A/D, directing the applicant to appear and to file show cause as to why no dispute award shall not be passed against him. Show cause notice, sent under registered post with A/D was returned unserved. This Tribunal found that the applicant stopped taking steps on and from 31.12.2021 and so, need not send show cause notice again to the applicant. Applicant did not think it necessary to

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(2)

appear before this Tribunal or to file show cause petition till today. Therefore, it can safely be said that the applicant is not willing to proceed with his present case further.

In view of the aforesaid conduct of the applicant, this Tribunal holds that no industrial disputes exist in between the parties. So, I am inclined to pass a 'No Dispute' Award on the footings that Industrial Disputes under Rule 22 under West Bengal Industrial Dispute Rules, 1958 is no longer in existence.

Hence, it is

### **Ordered**

That the case being No. 11 of 2010 U/s 10 (2A) of the Industrial Disputes Act, 1947 be and the same is dismissed for non existence of any Industrial Dispute. This is to be treated as 'No Dispute Award'.

This is my award.

Dictated & corrected by me.

Sd/-  
Judge

*Judge*  
Seventh Industrial Tribunal

Sd/-  
(Ashis Kumar Das )  
Judge  
7<sup>th</sup> Industrial Tribunal  
Kolkata  
27.05.2022

*Judge*  
Seventh Industrial Tribunal

