

I/199911/2022

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/ 594 / (LC-IR)/22015(16)/13/2022

Date: 15/11/2022.

**ORDER**

WHEREAS under the Government of West Bengal, the Industrial Dispute between 1) M/s. Bagree Estates Pvt. Ltd., 2) Smt. Radha Bagree, Director of Bagree Estates Pvt. Ltd., 3) Sri Varun Raj Bagree, Director of Bagree Estates Pvt. Ltd., 4) The Executive Officer, Director of Bagree Estates Pvt. Ltd. all of 7, Lyons Range, 2<sup>nd</sup> Floor, Kolkata - 700001 and its workman Sri Rajesh Kumar Pandey S/o Lalan Pandey, Bagree Market, 71, Biplabi Rash Behari Basu Road, Kolkata - 700001 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 workman has filed an application directly under sub-section 2 of Section 2A of the Industrial Dispute act, 1947 (14 of 1947) to the Seventh Industrial Tribunal Specified for this purpose under this Department Notification No. 101-IR dated 2.2.12;

AND WHEREAS the Seventh Industrial Tribunal, West Bengal, has submitted to the State Government its award dated 31/05/2022 on the said Industrial Dispute vide memo no. 802 - 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/199911/2022

No. Labr/. 594/15/(LC-IR)

Date: 15/06/2022.

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

1. M/s. Bagree Estates Pvt. Ltd., 7, Lyons Range, 2<sup>nd</sup> Floor, Kolkata – 700001.
2. Sri Rajesh Kumar Pandey S/o Lalan Pandey, Bagree Market, 71, Biplabi Rash Behari Basu Road, Kolkata - 700001.
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. 802 – 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, Kolkata, West Bengal

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

**Case No.04/2A(2) of 2018**

Sri Rajesh Kumar Pandey, son of Lalan Pandey, Bagree Market, 71, Biplabi Rash Behari Basu Road , Kolkata – 700 001.

.....Applicant

-VS-

1. Bagree Estates Pvt. Ltd., 2. Smt. Radha Bagree , Director of Bagree Estates Pvt. Ltd., 3. Sri Varun Raj Bagree, Director of Bagree Estates Pvt. Ltd, 4. The Executive Officer, Bagree Estates Pvt. Ltd., all of 7, Lyons Range, 2<sup>nd</sup> Floor, Kolkata – 700 001.

.....Opposite Party

**A W A R D**

**Dated 31.05.2022**

Applicant Sri Rajesh Kumar Pandey is absent without steps.

Today is fixed for passing no dispute award in view of order no. 26 dt.

01.10.2021.

This case has been filed by the applicant/workman Sri Rajesh Kumar Pandey U/s 2A(2)) of the Industrial Disputes Act, 1947 against Opposites Parties viz. 1. Bagree Estates Pvt. Ltd. , 2. Smt. Radha Bagree, Director, Bagree Estates Pvt. Ltd, 3. Varun Raj Bagree, Director, Bagree Estates Pvt. Ltd, & 4. The Executive officer, Bagree Estates Pvt. Ltd in connection with termination of his service through letter dt. 08.11.2017 by the Executive Officer of the Bagree Estates Pvt. Ltd. illegally with a prayer to reinstate him in service with full back wages and other consequential benefits.

Perused the case record wherefrom it is seen that on 01.10.2021 this case was fixed for ex parte hearing, but applicant was found absent on that day on repeated calls. Considering such conduct of the applicant, this Tribunal issued notice under registered post with A/D directing the applicant to show cause as to why no dispute award shall not be passed, but S/R of notice was returned unserved. Since the applicant stopped taking steps on and from 01.10.2021 and also did not think it necessary to appear before this Tribunal till 21.04.2022, this Tribunal need not issue fresh show cause notice to the applicant in view of order no. 26 dt. 01.10.2021. Even applicant did not think it necessary



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to 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. 4 of 2018 U/s 2A(2) 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

31.05.2022

**Judge**

Seventh Industrial Tribunal