

I/427045/2023

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

No. Labr/. 751 /((LC-IR)/22015(16)/36/2023 Date : 17/08/2023

ORDER

WHEREAS an industrial dispute existed between M/s. Himalaya Wellness Company, Alampur, National Highway - 6, Near Indian Oil Petrol Pump, Howrah - 711302 and their workman Sri Buddhadeb Gayen, S/o Sukumar Gayen, Vill. + P.O. - Hanschara, P.S.- Chandipur, Dist. - Purba Medinipur, Pin - 721625 regarding the issues being a matter specified in the Second schedule of the Industrial Dispute act, 1947 (14of 1947);

AND WHEREAS the workman has filed an application directly under sub-section 2 of Section 2A of the Industrial Dispute act, 1947 (14of 1947) to the Second Industrial Tribunal Specified for this purpose under this Department Notification No. 101-IR dated 2.2.12;

AND WHEREAS the Second Industrial Tribunal has submitted to the State Government its Award dated 09/08/2023 in case No. 22/2021 vide memo no. 1015 - L.T. dated 09/08/2023.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Disputes 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,

Sdt
Assistant Secretary
to the Government of West Bengal

/427045/2023

(2)

No. Labr/751/1(2) – IR

Dated: 17/08/2023

Copy forwarded for information to:

1. The Judge, Second Industrial Tribunal with reference to his Memo No.1015 - L.T. dated 09/08/2023.
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.

Sdt
Assistant Secretary

No. Labr/751/2(5) – IR

Dated: 17/08/2023

Copy with a copy of the Award is forwarded for information & necessary action to:

1. M/s. Himalaya Wellness Company, Alampur, National Highway – 6, Near Indian Oil Petrol Pump, Howrah - 711302.
2. Sri Buddhadeb Gayen, S/o Sukumar Gayen, Vill. + P.O. – Hanschara, P.S.- Chandipur, Dist. – Purba Medinipur, Pin - 721625.
3. The Assistant Labour Commissioner, W.B., In-Charge of Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B., New Secretariat Building (11th Floor), 1, Kiran Sankar Roy Road, Kolkata – 700001.
- ✓ 5. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.

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Assistant Secretary

H.A.(IT)/
17/08/2023

Case No. 22/2021

Under Section 2A(2) of The Industrial Disputes Act, 1947

Shri Buddhadeb Gayen,
S/O. Sukumar Gayen,
Village + Post Office- Hanschara,
Police Station- Chandipur
District- Purba Medinipur,
Pin Code-721625

..... Applicant

- Versus -

M/s. Himalaya Wellness Company
(formerly The Himalaya Drug Company),
having its corporate office at Makali,
Bengaluru- Pin Code-562162
having its State Office at Alampur,
National Highway-6, Near Indian
Oil Petrol Pump, Howrah-711302

.....Opposite party

Order No.17 dated: 09.08.2023

Today is fixed for evidence on merit and the Ld. Lawyer for the Opposite Party Company is present and the petitioner's Advocate is also present and the Advocate of the petitioner has filed a petition today stating therein that today is fixed for evidence of the petitioners but the petitioners will not proceed further with this case and he will not depose in this case and accordingly the Advocate of the petitioner has prayed for necessary order to dispose of the case.

P.T.O.

Record shows that in 2021 the petitioner has filed this case praying for reinstatement of his service with full back wages and other consequential benefits and then the Opposite Party Company appeared in this case and submitted written statement and then issues were framed and the case was fixed for evidence on merit on 09.08.2023 but the petitioner has filed one petition today stating therein that he will not proceed further with this case.

Heard the Ld. Lawyers of both sides on this petition of the petitioner dated 09.08.2023.

Hence I hold that the petitioner is not interested to proceed with this case.

Hence, it is

ORDERED

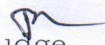
that the Case No.22/2021 under Section 2A(2) of The Industrial Disputes Act, 1947 is dismissed for default against the Opposite Party Company with cost.


Let this order be treated as an Award.

According to Section 17AA of The Industrial Disputes Act, 1947, let a certified copy of this award be sent to the Additional Chief Secretary to the Government of West Bengal, Labour Department, New Secretariat Buildings, 1, K.S. Roy Road, Kolkata 700 001 for information, and let a certified copy of this award be supplied to each of both the parties of this case, free of cost, forthwith for information.

The case is disposed of today.

Dictated & corrected by me.


Judge


(P.S. Mukhopadhyay)
Judge
2nd Industrial Tribunal
Kolkata

Judge
2nd Industrial Tribunal
West Bengal