

1/427807/2023

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

No. Labr/. 759 / (LC-IR)/22015(16)/43/2023 Date: 18/09/2023

ORDER

WHEREAS an industrial dispute existed between M/s. Secure Offset Pvt. Ltd., Godown No. EW 3A, Dhulagarh Truck Terminal, P.O. Dhulagarh, Dist.-Howrah-711313 and their workman Sri Sankar Chandra Nath, Vill. Laskarpur Nath Para, P.O. Laskarpur, P.S. Jagatballavpur, Dist.-Howrah-711414 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 04/08/2023 in case No. 09/2018 vide memo no. 1014 - 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



1/427807/2023

(2)

No. Labr/758/1(2) - IR

Dated: 18/08/2023

Copy forwarded for information to:

1. The Judge, Second Industrial Tribunal with reference to his Memo No.1014 - L.T. dated 09/08/2023.
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.

Sd/-  
Assistant Secretary

No. Labr/758/2(5) - IR

Dated: 18/08/2023

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

1. M/s. Secure Offset Pvt. Ltd., Godown No. EW 3A, Dhulagarh Truck Terminal, P.O. Dhulagarh, Dist.-Howrah-711313.
2. Sri Sankar Chandra Nath, Vill. Laskarpur Nath Para, P.O. Laskarpur, P.S. Jagatballavpur, Dist.-Howrah-711414.
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 (11<sup>th</sup> 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.

30  
Assistant Secretary

HA.(IT)

18/08/2023

Dipankar  
18/08/2023



**Case No. 09/2018**

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

Shri Sankar Chandra Nath

Vill. Laskarpur Nath Para

P.O. Laskarpur , P.S. Jagatballavpur

Dist. Howrah-711414

..... Applicant

- Versus-

M/s. Secure Offset Pvt. Ltd.

Godown No.EW 3A, Dhulagarh Truck

Terminal, P.O. Dhulagarh,

Dist.-Howrah-711313

.....Opposite party

**Order No.59 dated: 04.08.2023**

Today is fixed for evidence on merit and the Ld. Lawyer for the Opposite Party Company is present but the petitioner and his Advocate are absent and none appears for the petitioner and no step is taken for the petitioner.

Record shows that in 2018 the petitioner has filed this case and the case has been pending for a long time for evidence on merit but the petitioner has not been attending the Tribunal for his evidence and on the last date on 19.07.2023 the Ld. Lawyer for the petitioner submitted that he had no instruction from the petitioner and orally prayed to issue show cause notice to the petitioner and then one more chance was given to the petitioner to appear on 04.08.2023 for evidence on merit but neither the petitioner nor his lawyer appeared on 04.08.2023 for evidence on merit.

P.T.O.



Record shows that the petitioner has filed this case praying for reinstatement of his service with full back wages and other consequential benefits and prayed for a declaration that the refusal of employment to the petitioner by way of termination from service on 21.06.2016 is illegal, unjustified, malafide and unfair 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 but the petitioner has not been attending the Tribunal for his evidence on merit in spite of getting many opportunities.

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

Hence, it is

**ORDERED**

that the Case No.09/2018 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  
2<sup>nd</sup> Industrial Tribunal  
Kolkata

Judge  
2<sup>nd</sup> Industrial Tribunal  
West Bengal