

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

No. Labr/ 1200 / (LC-IR)/22019/25/2018

Date : 10/12/2024

ORDER

WHEREAS an industrial dispute existed between M/s. Ritu Hospitality Service Private Limited, A-118, Lake Garden, Kolkata, Pin – 700045 and their workman Smt. Pushpalata Mukhiya, Halderpara (Moukhali 2 No.), Jagacha, District – Howrah, West Bengal, Pin – 711 111, regarding the issues, being a matter specified in the second schedule to the Industrial Dispute Act, 1947 (14 of 1947) ;

AND WHEREAS the workman have filed an application under section 10(1B)(d) of the Industrial Dispute Act, 1947 (14 of 1947) to the Seventh Industrial Tribunal, Kolkata specified for this purpose under this Deptt.'s Notification No. 1085-IR/12L-9/95 dated 21.07.1997 ;

AND WHEREAS the said Seventh Industrial Tribunal, Kolkata has submitted to the State Government its Award dated 29.11.2024 in case No. 35 of 2022 under section 10(1B)(d) of the I.D. Act, 1947 (14 of 1947) on the said Industrial Dispute vide e-mail dated 29.11.2024 ;

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,



Assistant Secretary

to the Government of West Bengal

No. Labr/ 1200 /1(5)/(LC-IR)/ 22019/25/2018

Date : 10/12/2024

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

3. M/s. Ritu Hospitality Service Private Limited, A-118, Lake Garden, Kolkata, Pin – 700045.
4. Smt. Pushpalata Mukhiya, Halderpara (Moukhali 2 No.), Jagacha, District – Howrah, West Bengal, Pin – 711 111.
3. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The OSD & EO Labour Commissioner, W.B., New Secretariat Building, 11th Floor, 1, Kiran Sankar Roy Road, Kolkata – 700001.
6. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.



Assistant Secretary

No. Labr/ 1200 /1(3)/(LC-IR)/ 22019/25/2018

Date : 10/12/2024

Copy forwarded for information to :-

1. The Judge, Seventh Industrial Tribunal, N. S. Building, 3rd Floor, 1, K.S. Roy Road, Kolkata – 700001 with respect to his e-mail dated 29.11.2024.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata – 700001.
3. Office Copy.


Assistant Secretary

Before The Seventh Industrial Tribunal, West Bengal

Present: Ms. Yogita Gaurisaria , Judge, Seventh Industrial Tribunal.

Case No. 35 of 2022

Under Section 10(1B)(d)

**Smt. Pushpalata Mukhiya, Halderpara (Moukhali 2 No.), Jagacha, District – Howrah,
West Bengal, Pin – 711 111.**

.....Applicant

-VS-

M/s Ritu Hospitality Service Private Limited, A-118, Lake Garden, Kolkata ,

Pin – 700 045

..... Opposite Party

A W A R D

Dated 29.11.2024

Both the parties are absent without steps.

Today is fixed for passing no dispute award in view of order no. 19 dt. 05.11.2024.

Case record is taken up for passing order.

This case has been filed by the applicant/workman Smt. Pushpalata Mukhiya under Section 10(1B)(d) of the Industrial Disputes Act, 1947 against his employer M/s Ritu Hospitality Service Private Limited in connection with termination of service of the applicant illegally with a prayer to reinstate him in service with full back wages and other consequential benefits.

Perused the case record wherefrom it appears that since 09.09.2024 the applicant is absent and a show cause notice was issued upon her directing to file reply to show cause on 21.10.2024 as to why no dispute award shall not be passed in the instant case.

Contd....P/2

(2)

On 21.10.2024 the O.P. appeared and filed postal track report of the notice sent to the applicant from which it appeared that the notice sent to the applicant was delivered and the applicant was absent on that day also on repeated calls. Therefore, it appears that the applicant is not interested 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

O r d e r e d

that the case being No. 35 of 2022 u/S 10(1B)(d) 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.

Judge

(Yogita Gaurisaria)
Judge
7th Industrial Tribunal
Kolkata
29.11.2024