

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

No. Labr/122/(LC-IR)/22015(16)/12/2024

Date: 06/02/2024

ORDER

WHEREAS an industrial dispute existed between M/s. Corona Remedies Pvt. Limited, 1. C/o Gobinda Distributors Pvt. Ltd., 93A, Tiljala Road, Kolkata - 700046 (State Office), 2. Corona House, C - Mondeal Business Park, Near Gurudwara, S.G. Highway, Thaltej, Ahmedabad - 380059 (Head Office) and their workman Sri Arghya Roy, S/o. Late Arun Roy, 369/3, M.B. Road, Belghoria, Nimta, Kolkata - 700049 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 Judge, Seventh Industrial Tribunal specified for this purpose under this Department Notification No. 101-IR dated 2.2.12;

AND WHEREAS the said Judge, Seventh Industrial Tribunal has submitted to the State Government its Award dated 29/01/2024 in Case No. 06/2A (2) of 2019 on the said Dispute vide memo no. Dte/7th IT/017/2024 dated 31/01/2024.

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,

Sd/-
Assistant Secretary
to the Government of West Bengal

(2)

No. Labr/¹²²...../1(2) - IRDate: ^{06/02/}... ..2024

Copy forwarded for information to:

1. The Judge, Seventh Industrial Tribunal with reference to his Memo No. Dte/7th IT/017/2024 dated 31/01/2024.
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.

^{Sdt}
Assistant Secretary

No. Labr/¹²²...../2(5) - IRDate: ^{06/02/}... ..2024

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

1. M/s. Corona Remedies Pvt. Limited, 1. C/o Gobinda Distributors Pvt. Ltd., 93A, Tiljala Road, Kolkata - 700046 (State Office).
2. Sri Arghya Roy, S/o. Late Arun Roy, 369/3, M.B. Road, Belghoria, Nimta, Kolkata - 700049.
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.

Deputy Secy
06/02/24


Assistant Secretary

Before The Seventh Industrial Tribunal, West Bengal

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

Case No.06/2A(2) of 2019

Shri Arghya Roy , S/o Late Arun Roy at 369/3, M.B. Road, Belghoria,
Nimta, Kolkata-700 049. Applicant/workman

-VS-

M/s. Corona Remedies Pvt. Limited, 1. C/o Gobinda Distributors Pvt. Ltd.,
93A, Tiljala Road, Kolkata-700 046 (State Office), 2. Corona House, C-
Mondeal Business Park, Near Gurudwara, S.G. Highway, Thaltej,
Ahmedabad-380059 (Head Office).Opposite Party

A W A R D

Dated 29.01.2024

Applicant Sri Arghya Roy is absent without steps.

O.P. /Company is also absent without steps.

Today is fixed for appearance and filing show cause by the applicant
i.d. no dispute award.

As the applicant is found absent on repeated calls, the case is taken up
for passing no dispute order in view of Order No. 39 dated 16.01.2024.

This case has been filed by the applicant/workman Sri Arghya Roy
under Section 2A(2) of the Industrial Disputes Act, 1947 against his employer
M/s. Corona Remedies Pvt. Limited in connection with termination of his
service illegally with a prayer to reinstate him in service with full back wages
and other consequential benefits and also costs and interests thereto.

Perused the case record wherefrom it appears that on 09.06.2020 the
case was fixed for evidence of applicant's side, but applicant was absent on
that day on repeated calls and considering the previous conduct of the
applicant, this Tribunal issued notice on 02.05.2022 to the applicant directing
him to appear on 20.06.2022 and file show cause as to why a no dispute
award shall not be passed in the instant case. But on that day also the
applicant was absent on repeated calls. It also appears from the case that in
view Order No. 34 daed. 03.03.2023 further show cause notice under
registered post with A/D was sent to the applicant directing him to appear on

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(2)

03.05.2023 and file show cause as to why no dispute award shall not be passed in the instant case. Thereafter, as the applicant was found absent on repeated calls, further notice was issued upon the applicant vide Order No. 38 dated 07.11.2023 fixing 16.01.2023 for appearance and file show cause as to why no dispute award shall not be passed in the instant case. On 16.01.2023 on repeated calls the applicant was absent despite service of notice upon the applicant. So, it appears that the applicant did not bother to appear before this Tribunal till today and also did not think it necessary to file show cause in view of Order No. 39 dated 16.01.2024. Therefore, it is clear 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

O r d e r e d

that the case being No. 06 of 2019 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.

sdj
Judge

Judge
Seventh Industrial Tribunal



sdj
(Yogita Gaurisaria)
Judge
7th Industrial Tribunal
Kolkata
29.01.2024

Judge
Seventh Industrial Tribunal