

I/490159/2024

LABR-22015(16)/17/2024-IR SEC-Dept. Of LABOUR

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

No. Labr/ 200 / (LC-IR)/22015(16)/17/2024

Date : 28/02/2024

ORDER

WHEREAS an industrial dispute existed between Shri Nanak Singh, 2/H/22, Ghore Bibi Lane, Kolkata - 700054 and his employer M/s Union Roadways Corporation, 41/A, A.J.C. Bose Road, Diamond Prestige, 8th Floor, Room No. 803 A, Kolkata - 700017 regarding the issues, being a matter specified in the second schedule to the Industrial Dispute Act, 1947 (14 of 1947);

AND WHEREAS the workman has 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 25.07.1997;

AND WHEREAS the said Seventh Industrial Tribunal, Kolkata has submitted to the State Government its Award dated 16.02.2024 in case No. 01/2021 under section 10(1B)(d) of the I.D. Act, 1947 (14 of 1947) on the said Industrial Dispute vide Memo No. Dte/7th IT/023/2024 dated 19.02.2024;

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/ 200 /1(5)/(LC-IR)

Date : 28/02/2024

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

1. M/s Union Roadways Corporation, 41/A, A.J.C. Bose Road, Diamond Prestige, 8th Floor, Room No. 803 A, Kolkata - 700017.
2. Shri Nanak Singh, 2/H/22, Ghore Bibi Lane, Kolkata - 700054.
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.
5. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.


Assistant Secretary

Date : 28/02/2024

No. Labr/ 200 /2(3)/(LC-IR)

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 Memo No. Dte/7thIT/023/2024 dated 19.02.2024.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.
3. Office Copy.

Assistant Secretary

H-A.(IT) /
29/02/2024

Before the 7th Industrial Tribunals, Kolkata

Case No. 01/2021

Under Section 10(1B)(d) of the Industrial Disputes Act, 1947

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

Shri Nanak Singh, 2/H/22, Ghore Bibi Lane, Kolkata – 700 054.

Vs.

M/s. Union Roadways Corporation , 41/A, A.J.C. Bose Road, Diamond Prestige, 8th Floor,
Room No. 803 A, Kolkata – 700 017.

A W A R D

DATED : 16/02/2024



Today is fixed for passing order in respect of the verified petition filed by the applicant on 09.02.2024 for withdrawal of the dispute /case pending before this Tribunal.

The case record is taken up for passing order.

Heard both sides. Considered.

Perused the verified petition for withdrawal as well as evidence of the applicant Shri Nanak Singh (P.W.1) , so adduced in support of said withdrawal petition and also Exbt. A (original money receipt dated 09.02.2024).

On perusal of the withdrawal petition along with the case record and evidence so adduced by the applicant Shri Nanak Singh as P.W.1, it appears that the matter in dispute has already been settled in between the parties in terms of withdrawal petition dated 09.02.2024. I further find from the evidence of applicant that the dispute /case with the O.P. has been settled amicably without any coercion and pressure and he also issued a money receipt of the settled amount of Rs. 87,500/- (Eighthly seven thousand five hundred only) to the O.P. for full and final settlement amount and the applicant (P.W.1) has no grievance against the O.P./Company at present.

The withdrawal petition dated 09.02.2024 has been filed and duly signed by the applicant, Shri Nanak Singh (P.W.1) voluntarily. Since the matter has already been settled between the parties to the proceedings and the applicant is willing to withdraw the case/dispute and prays for passing no dispute award as withdrawn, I am of the view that this Tribunal should not stand in the way of their such settlement and when the applicant is

Contd.....P/2

(2)

willing to withdraw the case/dispute pending before this Tribunal, hence, this Tribunal finds no impediment in allowing the prayer of withdrawal as made by the applicant voluntarily.

Hence, it is

O r d e r e d

that the withdrawal petition dated 09.02.2024 filed by the applicant is allowed and accordingly, the Case being No.01/2021 under Section 10(1B)(d) of the Industrial Disputes Act, 1947, as amended be and the same is disposed of with the order of no dispute award as the same being withdrawn by the applicant.

This is my Award.

Let six (6) copies of the Award be sent to the appropriate authority for information and taking necessary action.

Dictated & corrected by me.

Yogita Gaurisaria
Judge

Seventh Industrial Tribunal



Yogita Gaurisaria
(Yogita Gaurisaria)
Judge

7th Industrial Tribunal
Kolkata
16.02.2024

Judge
Seventh Industrial Tribunal