

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/ 248/(LC-IR)/22015/4/2018

Date : 12-03-2024

**ORDER**

WHEREAS an industrial dispute existed between Shri Kanu Das, 99/27, Banerjee Para Road, Kolkata - 700041 and his employer 1) M/s Kirlosker Brothers Ltd., KCI Plaza, 23/C, Ashutosh Chowdhury Avenue, Kolkata - 700019 and also at C/o 'AWFIS', Godrej Waterside, Office No. 1207, Tower No. 2, 12<sup>th</sup> Floor, Block- DP, Sector - V, Salt Lake, Kolkata - 700091, and 2) M/s Mafoi Randstand Consultants Ltd., 3A, Shakespeare Sarani, 6<sup>th</sup> Flor, Kolkata - 700071 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 29.02.2024 in case No. 60/2015 under section 10(1B)(d) of the I.D. Act, 1947 (14 of 1947) on the said Industrial Dispute vide Memo No. Dte/7<sup>th</sup> IT/033/2024 dated 04.03.2024;

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,

Sd/-

Assistant Secretary

to the Government of West Bengal

No. Labr/ 248 /1(6)/(LC-IR)

Date : 12-03-2024

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

1. M/s Kirlosker Brothers Ltd., KCI Plaza, 23/C, Ashutosh Chowdhury Avenue, Kolkata - 700019.
2. M/s Mafoi Randstand Consultants Ltd., 3A, Shakespeare Sarani, 6<sup>th</sup> Flor, Kolkata - 700071.
3. Shri Kanu Das, 99/27, Banerjee Para Road, Kolkata - 700041.
4. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
5. The OSD & EO Labour Commissioner, W.B., New Secretariat Building, (11<sup>th</sup> 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/ 248 /2(3)/(LC-IR)

Date : 12-03-2024

Copy forwarded for information to :-

1. The Judge, Seventh Industrial Tribunal, N. S. Building, 3<sup>rd</sup> Floor, 1, K.S. Roy Road, Kolkata - 700001 with respect to his Memo No. Dte/7<sup>th</sup>IT/033/2024 dated 04.03.24.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.
3. Office Copy.

Assistant Secretary

248/2(3)/(LC-IR)  
13/03/24



Before The Seventh Industrial Tribunal, West Bengal

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

Case No.60/2015

U/S 10(1B)(d) of the Industrial Disputes Act, 1947

Sri Kanu Das, 99/27, Banerjee Para Road, Kolkata – 700 041

.....Applicant/workman

VS-

1. M/s. Kirlosker Brothers Ltd., KCI Plaza, 23/C, Ashutosh Chowdhury Avenue, Kolkata – 700 019 and also at C/O 'AWFIS', Godrej Waterside, Office No. 1207, Tower No. 2, 12<sup>th</sup> Floor, Block – DP, Sector – V, Salt Lake, Kolkata – 700 091.

2. M/s. Mafoi Randstand Consultants Ltd., 3A, Shakespeare Sarani, 6<sup>th</sup> Floor, Kolkata – 700 071.

.....Opposite Parties

A W A R D

Dated 29.02.2024

Applicant Sri Kanu Das is absent without steps.

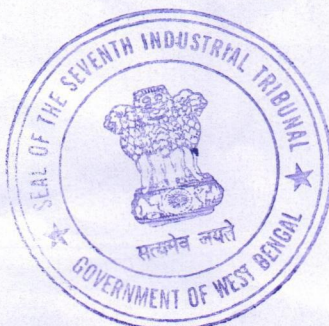
Today is fixed for passing no dispute award.

Accordingly, the case is taken up for passing no dispute award in view of Order No. 64 dated 22.02.2024.

This case has been filed by the applicant/workman Sri Kanu Das under Section 10(1B)(d) of the Industrial Disputes Act, 1947 against his employer /O.P. 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 24.05.2022 an order was passed fixing 12.07.2022 for further cross-examination of applicant/P.W.1 by O.P. No.2. On 12.07.2022 the applicant/workman was absent on repeated calls and a notice was issued against the applicant asking him to appear personally before this Tribunal and file show cause

Contd.....P/2



sd/-  
Judge  
Seventh Industrial Tribunal  
29.02.2024



(2)

as to why no dispute award shall not be passed in the instant case, but the applicant did not turn up and no show cause was filed from his side. Thereafter, further show cause notice was issued on 09.11.2023 against the applicant directing him to appear before this Tribunal on 04.01.2024 and file show cause as to why the no dispute award shall not be passed in the instant case.

Thereafter, vide order no. 63 dated 04.01.2024 it was observed by this Tribunal that the notice sent to the applicant has been delivered with postal remark 'Item Delivered (Addressee)', but on that day also the applicant was absent on repeated calls. Thereafter, an opportunity was given to the applicant to appear before this Tribunal on 22.02.2024 and to file show cause. But on that date also the applicant was absent on repeated calls and no show cause was also filed from his side and 29.02.2024 was fixed for passing no dispute award in view of the order dated 22.02.2024.

It appears from the case record 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. 64 dated 22.02.2024. 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

Ordered

that the case being No. 60 of 2015 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

Judge

Seventh Industrial Tribunal



sd/-

(Yogita Gaurisaria)

7<sup>th</sup> Industrial Tribunal

Kolkata

Judge

Seventh Industrial Tribunal