

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

No. Labr/ 631 /(LC-IR)/ 22015(16)/618/2018

Date : 05.06.2025


ORDER

WHEREAS an industrial dispute existed between 1. M/s. M.H. Traders, 86, Canning Street (Rampuria Market), Shop #6, Jain Mandir Gali, Kolkata – 700 001 and 2. M/s. H.A. Stores, 86, Canning Street (Rampuria Market), Shop #6, Jain Mandir Gali, Kolkata – 700 001, And their workman Md. Sagir, C/o Md. Tanbir, 86, Canning Street (Rampuria Market), Jain Mandir Gali, Kolkata – 700 001 regarding the issues, being a matter specified in the second schedule of the Industrial Dispute Act, 1947 (14 of 1947);

AND WHEREAS the 7th Industrial Tribunal, Kolkata has submitted to the State Government its Award dated 22.04.2025 in Case No. 46 of 2012 on the said Industrial Dispute Vide e-mail dated 02.06.2025 in compliance of u/s 10(2A) of the I.D. Act, 1947.

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 in the Labour Department's official website i.e **wblabour.gov.in**

By order of the Governor,


Assistant Secretary

to the Government of West Bengal

No. Labr/ 631 /1(6)/(LC-IR)/ 22015(16)/618/2018

Date: 05.06.2025

Copy forwarded for information and necessary action to:-

1. M/s. M.H. Traders, 86, Canning Street (Rampuria Market), Shop #6, Jain Mandir Gali, Kolkata – 700 001,
2. M/s. H.A. Stores, 86, Canning Street (Rampuria Market), Shop #6, Jain Mandir Gali, Kolkata – 700 001,
3. Md. Sagir, C/o Md. Tanbir, 86, Canning Street (Rampuria Market), Jain Mandir Gali, Kolkata – 700 001.
4. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
5. The O.S.D & E.O 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 request to cast the Award in the Department's website.


Assistant Secretary

to the Government of West Bengal

No. Labr/ 631 /2(3)/(LC-IR)/ 22015(16)/618/2018

Date: 05.06.2025

Copy forwarded for information to:

1. The Judge, 7th Industrial Tribunal, N. S. Building, 1, K.S. Roy Road, Kolkata - 700001 with reference to his e-mail dated 02.06.2025.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.
3. Office Copy.


Assistant Secretary

to the Government of West Bengal

**IN THE SEVENTH INDUSTRIAL TRIBUNAL, KOLKATA ,
WEST BENGAL**

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

Case No. 46 of 2012

Under Section 10(1B)(d)

**Md. Sagir , C/o Md. Tanbir, 86, Canning Street (Rampuria Market), Jain
Mandir Gali, Kolkata – 700 001.**

.....Applicant

-VS-

**1. M/s. M.H. Traders, 86, Canning Street (Rampuria Market), Shop #6,
Jain Mandir Gali, Kolkata – 700 001.**

**2. M/s. H.A. Stores, 86, Canning Street (Rampuria Market), Shop #6, Jain
Mandir Gali, Kolkata – 700 001.**

.....Opposite Parties

A W A R D

This Award is delivered on Tuesday, the 22nd Day of April, 2025.

**Today is fixed for passing no dispute award in view of order no. 81
dated 20.03.2025.**

Case record is taken up for passing award.

**This case has been filed by the applicant/workman Md. Sagir under
Section 10(1B)(d) of the Industrial Disputes Act, 1947 against his employers
namely M/s. M.H. Traders and M/s. H.A. Stores in connection with
termination of his service with effect from 01.11.2011 illegally with a
prayer to reinstate him in service with full back wages and other
consequential benefits.**

Contd.....P/2

(2)

Perused the case record wherefrom it appears that on 16.02.2023 none appeared for the applicant and as such, a notice was issued upon the applicant with a direction to appear before this Tribunal and file show cause as to why no dispute award shall not be passed in this case. A fresh show notice was issued upon the applicant on 31.08.2023 directing him to appear before this Tribunal on 09.11.2023 and file reply to show cause as to why no dispute award shall not be passed in this case. On perusal of the order it appears from order dated 29.02.2023 that an envelope containing notice sent to the applicant returned back with the postal remark “Insufficient Address” and accordingly, a fresh notice was issued upon the applicant directing him to appear before this Tribunal on 12.04.2024 and file reply to show cause as to why the no dispute award shall not be passed in this case. Thereafter, again on 19.07.2024 a notice was issued upon the applicant directing him to appear before this Tribunal on 19.09.2024 and file reply to show cause as to why no dispute award shall not be passed in the instant case. From order dated 18.02.2025 it appears that one envelope containing notice received back with the postal remark ‘Absent (is final/Unclaimed)’ and this Tribunal was pleased to observe that the instant case is pending since 2012 and the show cause notice has been sent by this Tribunal several times and it appears from the postal remarks ‘ door closed/absent/unclaimed’ . The Tribunal was further pleased to observe that the applicant is not appearing before this Tribunal since February, 202 and on that date for ends of justice, one more opportunity was given to the applicant to appear and file reply to show cause positively on the next date i.e. on 20.03.2025 i.d. necessary order. But on 20.03.2025 also the applicant was not present on repeated calls and as such, the applicant did not think it necessary to appear before this Tribunal and to file reply to show cause in compliance of the order of this Tribunal. Therefore, it is clear that the applicant is not willing to proceed with his present case further.

Contd.....P/3

(3)

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 instant case being No. 46 of 2012 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.

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

Dictated & corrected by me.

Judge

(Yogita Gaurisaria)

**Judge
7thIndustrial Tribunal
Kolkata
22.04.2025**

Case No. 46 of 2012 u/S 10(1B)(d)

Order No. 82 dated 22.04.2025

Both the parties are absent without steps.

Today is fixed for passing no dispute order in view of order no. 81 dated 20.03.2025.

The award is ready, signed , sealed and pronounced in open Tribunal and let the award in separate sheets be kept with the record.

Hence, it is

O r d e r e d

that the case being No. 46 of 2012 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.

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

Dictated & corrected by me.

Judge

**(Yogita Gaurisaria)
Judge
7thIndustrial Tribunal
Kolkata
22.04.2025**

