

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

No. Labr/ 681 / (LC-IR)/22015/6/2018

Date : 15.07.2024

ORDER

WHEREAS under reference of Labour Department's Order No. Labr./968/(LC-IR) dated 13.12.2018 the Industrial Dispute between M/s. Hajra Medical Stores Pvt. Ltd., 23B, Ekbalpore Lane, Kolkata – 700023 (Regd. Office 62/1C, Diamond Harbour Road, Kolkata – 700023) and its workmen represented by Sri Sadhan Chakraborty, President, Hajra Medical Agency and Stores Pvt. Ltd. Permanent Employees' and Workers' Union, 1/18F/1, Sahanagar Road, Kolkata – 700026 and others regarding the issues mentioned in the said order, being a matter specified in the Second Schedule to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Eighth Industrial Tribunal, Kolkata.

AND WHEREAS the said Eighth Industrial Tribunal, Kolkata, has submitted to the State Government its Award dated 15.06.2024 in case No. VIII-29/2018 u/s 10 of the I. D. Act, 1947 on the said Industrial Dispute vide Memo No. Dte./8th I.T/075/2024 dated 08.07.2024.

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/ 681 /1(6)/(LC-IR)

Date : 15.07.2024

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

1. M/s. Hajra Medical Stores Pvt. Ltd., 23B, Ekbalpore Lane, Kolkata – 700023 (Regd. Office 62/1C, Diamond Harbour Road, Kolkata – 700023).
2. Sri Sadhan Chakraborty, President, Hajra Medical Agency and Stores Pvt. Ltd. Permanent Employees' and Workers' Union, 1/18F/1, Sahanagar Road, Kolkata – 700026.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B. New Secretariat Building, 1, K. S. Roy Road, 11th Floor, Kolkata- 700001.
- ✓ 5. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.

Assistant Secretary

No. Labr/ 681 /2(3)/(LC-IR)

Date : 15.07.2024

Copy forwarded for information to :

1. The Judge, Eighth Industrial Tribunal, Kolkata, N.S. Building, 2nd Floor, 1, K.S. Roy Road, Kolkata-700001 with reference to his Memo No. Dte./8th IT/075/2024 dated 08.07.2024.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.
3. Office Copy.

Assistant Secretary

Signature
15/7/24

In the matter of an industrial dispute between M/s. Hajra Medical Stores Pvt. Ltd., 23B, Ekbalpore Lane, Kolkata-23 (Regd. Office 62/1C, Diamond Harbour Road, Kolkata-23) and their workmen represented by Sri Sadhan Chakraborty, President, Hajra Medical Agency and Stores Pvt. Ltd. Permanent Employees' and Workers' Union, 1/18F/1, Sahanagar Road, Kolkata-26 and others referred to this Tribunal Vide G. O. No. Labr./968/(LC-IR)dated 13/12/2018 and reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960.

(Case No. VIII-29/2018)



Before the Eighth Industrial Tribunal: West Bengal
Present Sri Amit Chattopadhyay,
Judge, Eighth Industrial Tribunal,
West Bengal.

A W A R D

Dated 15.06.2024

An industrial dispute between M/s. Hajra Medical Stores Pvt. Ltd., 23B, Ekbalpore Lane, Kolkata-23 (Regd. Office 62/1C, Diamond Harbour Road, Kolkata-23) and their workmen represented by Sri Sadhan Chakraborty, President, Hajra Medical Agency and Stores Pvt. Ltd. Permanent Employees' and Workers' Union, 1/18F/1, Sahanagar Road, Kolkata-26 and others Vide G. O. No. Labr./968/(LC-IR)dated 13/12/2018 and reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960 referred to this Tribunal for adjudication on the following issues:-

I S S U E (S)

1. Whether the suspension of work as declared by the management of Hajra Medical Stores Pvt. Ltd., 23B, Ekbalpore Lane, Kolkata – 700023 (Regd., Office -62/1C, Diamond Harbour Road, Kolkata-23) is justified ?
2. To what relief, if any, the workmen are entitled ?

The case record is taken up for passing order.

Perused the case record wherefrom it appears that both the Union Hajra Medical Agency and Stores Pvt. Ltd. Permanent Employees' and Workers' Union and the Company M/s. Hajra Medical Stores (P) Ltd. were not appearing before this Tribunal since 20.03.2024 and on that date both the Ld. Advocates were present and submitted that they had filed two separate petitions stating inter alia that as the parties gave no instructions about this case so, they were not interested to proceed with this case and they wanted to retire from this case and accordingly their prayer were considered and allowed. Accordingly, from that date (i.e. 20.03.2024) a notice was issued against both parties directing them to appear before this Tribunal on 24.04.2024, but on that date also neither any S/R is received nor both the parties were present on repeated calls.

Again in spite of being directed to appear before this Tribunal on 05.05.2024 surprisingly neither the management nor the Union were present. It appears from the record that even after the service of notice upon the management and also the Union again and again they are not interested to proceed with the instant case any further.

In view of the aforesaid conduct of the Union Hajra Medical Agency and Stores Pvt. Ltd. Permanent Employees' and Workers' Union and the Company M/s. Hajra Medical Stores (P) Ltd., this Tribunal has no hesitation to hold that there is no dispute exists at present between the parties and as such the case is liable to be disposed off in view of Rule 22 of the West Bengal Industrial Dispute Rule, 1958.

Hence, it is

ORDERED

that the industrial dispute being No. VIII-29 of 2018 of the Industrial Disputes Act, 1947 under reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960 and also vide reference order no. Labr./968/(LC-IR)dated 13/12/2018 is no longer in-existence and accordingly the case is disposed off and this order is to be treated as No Dispute Award between the parties.

Dictated & Corrected by me

sdl-
Judge

Judge
8th Industrial Tribunal
Govt. of West Bengal



sdl-
Judge
Eighth Industrial Tribunal
Kolkata
15.06.2024

Judge
8th Industrial Tribunal
Govt. of West Bengal