

In The Seventh Industrial Tribunal, West Bengal

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

Case No. 12 of 2015

Under Section 2A(2)

Sri Somnath Adhikary, Emp. Code No. C-108917, Vill. Bishpara, P.O.

Nayasarai, Dist. Hooghly, P.S. Mogra, West Bengal, Pin – 712 513

.....Applicant

-VS-

M/s India Infoline Finance Limited (I.I.F.L.), 1, Shakespeare Sarani, A.C.

Market, 7th Floor, Kolkata – 700 071 Opposite Party

A W A R D

Dated 31.12.2024

Both the parties are absent without steps.

**Today is fixed for passing no dispute award in view of order no. 75 dt.
12.12.2024.**

Case record is taken up for passing order.

This case has been filed by the applicant/workman Sri Somnath Adhikary under Section 2A(2) of the Industrial Disputes Act, 1947 against his employer M/s India Infoline Finance Limited in connection with termination of service of the applicant illegally with a prayer to reinstate him in service with full back wages and other consequential benefits.

Perused the case record wherefrom it appears that on 10.12.2021 a show cause notice was issued upon the applicant directing to file reply to show cause on 21.01.2022 as to why no dispute award shall not be passed in the instant case.

Due to non appearance of the applicant since long, on 15.02.2023 and thereafter on 05.03.2024 notices were issued upon the applicant directing him to appear on 16.04.2024 and file reply to show cause as to why no dispute award shall not be passed in the instant case. Thereafter, due to repeated non

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(2)

appearance of the applicant, vide order dated 23.08.2024 a fresh notice was issued upon the applicant directing him to appear on 22.11.2024 and file reply to show cause as to why no dispute award shall not be passed in the instant case. Thereafter, from order dated 29.11.2024 it appears that This Tribunal observed that from the postal track report that the notice sent to the applicant was delivered with the postal remark 'Item Delivered'. The applicant was absent on that day also on repeated calls. Therefore, for the ends of justice, he was given an opportunity to appear before this Tribunal and to file reply to show cause on 12.12.2024, but despite that, none appeared for the applicant on repeated calls on that day too and no reply to show cause has also been filed from the side of the applicant. Therefore, it appears that the applicant is not interested 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. 12 of 2015 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.

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
7th Industrial Tribunal
Kolkata
31.12.2024

I/596239/2025

Government of West Bengal
Labour Department, I. R. Branch

N. S. Building, 12th Floor, 1, K. S. Roy Road, Kolkata – 700001

No. Labr/ 70 /(LC-IR)/22020/31/2018

Date : 15/01/2025

ORDER

WHEREAS an industrial dispute existed between M/s. India Infoline Finance Limited (I.I.F.L.), 1, Shakespeare Sarani, A.C. Market, 7th Floor, Kolkata – 700 071 and their workman Shri Somnath Adhikary, Emp. Code No. C-108917, Vill. Bishpara, P.O. Nayasarai, Dist. Hooghly, P.S. Mogra, West Bengal, Pin – 712 513, regarding the issues, being a matter specified in the second schedule to the Industrial Dispute Act, 1947 (14 of 1947);


AND WHEREAS the 7th Industrial Tribunal, Kolkata has submitted to the State Government its Award dated 31.12.2024 in Case No. 12 of 2015 on the said Industrial Dispute Vide e-mail dated 08.01.2025 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 as shown in the Annexure hereto.

ANNEXURE

(Attached herewith)

By order of the Governor,


Assistant Secretary

to the Government of West Bengal

No. Labr/ 70 /1(5)/(LC-IR)/ 22020/31/2018

Date : 15/01/2025

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

1. M/s India Infoline Finance Limited (I.I.F.L.), 1, Shakespeare Sarani, A.C. Market, 7th Floor, Kolkata – 700 071.
2. Shri Somnath Adhikary, Emp. Code No. C-108917, Vill. Bishpara, P.O. Nayasarai, Dist. Hooghly, P.S. Mogra, West Bengal, Pin – 712 513.
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

No. Labr/ 70 /2(3)/(LC-IR)/ 22020/31/2018

Copy forwarded for information to :-

Date : 15/01/2025

1. The Judge, 7th Industrial Tribunal, N. S. Building, 3rd Floor, 1, K.S. Roy Road, Kolkata – 700001 with respect to his e-mail dated 08.01.2025.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata – 700001.
3. Office Copy.


Assistant Secretary