

I/426374/2023

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

No. Labr/. 734 / (LC-IR)/22015(16)/39/2023 Date: 14/08/2023

ORDER

WHEREAS an industrial dispute existed between M/s. Pulse Pharmaceuticals Pvt. Ltd., C/o. R.A. Pharma Agencies, H. No. 5, 3rd Floor, Keola Bhavan, 5, Kustia Road, Kolkata - 700039 and workman Sri Koushik Mondal, S/o Sri Sanyasi Mondal, Sukanta Nagar, Milan Pally, P.O. & P.S. Sonarpur, Kolkata - 700150 regarding the issues being a matter specified in the Second schedule of the Industrial Dispute act, 1947 (14 of 1947);

AND WHEREAS the workman has filed an application directly under sub-section 2 of Section 2A of the Industrial Dispute act, 1947 (14 of 1947) to the Judge, Seventh Industrial Tribunal Specified for this purpose under this Department Notification No. 101-IR dated 2.2.12;

AND WHEREAS the Seventh Industrial Tribunal has submitted to the State Government its Award dated 03/07/2023 in case No. 04/2020 of 2A (2) on the said Dispute vide memo no. 953 -L.T. dated 26/07/2023.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Disputes 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

426374/2023

(2)

No Labr/734/1(2) - IR Dated : 14/08/2023

Copy forwarded for information to:

1. The Judge, Seventh Industrial Tribunal with reference to his Memo No. 953 -L.T. dated 26/07/2023.
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.

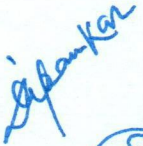
Salt
Assistant Secretary

No. Labr/734/2(5) - IR Dated: 14/08/2023

Copy with a copy of the Award is forwarded for information & necessary action to:

1. M/s. Pulse Pharmaceuticals Pvt. Ltd., C/o. R.A. Pharma Agencies, H. No. 5, 3rd Floor, Keola Bhavan, 5, Kustia Road, Kolkata - 700039.
2. Sri Koushik Mondal, S/o Sri Sanyasi Mondal, Sukanta Nagar, Milan Pally, P.O. & P.S. Sonarpur, Kolkata - 700150.
3. The Assistant Labour Commissioner, W.B., In-Charge of Labour Gazette.
4. The O.S.D. & E.O. 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


16/08/2023

Before the 7th Industrial Tribunals, Kolkata

Case No. 04/2020 of 2A(2)

Under Section 2A(2) of the Industrial Disputes Act, 1947

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

Sri Koushik Mondal, S/o Sri Sanyasi Mondal, Sukanta Nagar, Milan Pally, P.O. & P.S.
Sonarpur, Kolkata – 700 150.

-VS-

M/s. Pulse Pharmaceuticals Pvt. Ltd., C/o R.A. Pharma Agencies, H.No. 5, 3rd Floor, Keola
Bhavan, 5, Kustia Road, Kolkata – 700 039, H.O.: Plot No. 18/1, Sector –III, Huda Techno
Enclave, Hitech City, Madhapur, Hyderabad, Pin Code – 500 081.

A W A R D

DATED : 03/07/2023

Today is fixed for passing order in respect of the petition supported by an affidavit filed by the applicant on 19.06.2023 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 withdrawal petition supported by affidavit as well as evidence of the applicant Sri Koushik Mondal (P.W.1) and Sri Prasenjit Ghosh (O.P.W.1), Business Manager and authorized representative of the O.P./Company so adduced in support of said withdrawal petition and also Exbt. A (Xerox copy of letter of authorization dated 15.06.2023).

On perusal of the withdrawal petition along with the case record and evidence, it appears that the matter in dispute has already been settled in between the parties in terms of withdrawal petition dated 19.06.2023. I further find from the evidence of both parties that the company has assured to the applicant that the O.P./Company will pay Rs. 50,000/- at a time in lieu of back wages along with first month salary and also further assured that he shall be reemployed being a confirmed sales promotion employee as fresh appointment. They further assure that he shall be given fitment in the scale as she would have been in the employment at present. and the applicant (P.W.1) has no grievance against the O.P./Company at present.

Contd.....P/2

(2)

The withdrawal petition dated 19.06.2023 has been filed and duly signed by the applicant, Sri Koushik Mondal (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 willing to withdraw the case/dispute pending before this Tribunal, hence, this Tribunal finds no impediment in allowing prayer of withdrawal as made by the applicant voluntarily.

Hence, it is

O r d e r e d

that the withdrawal petition dated 19.06.2023 filed by the applicant is allowed and accordingly, the Case being No.04/2020 under Section 2A(2) 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.

Sd/-
Judge
Judge
Seventh Industrial Tribunal

Sd/-
(Yogita Gaurisaria)
Judge
7th Industrial Tribunal
Kolkata
03.07.2023
Judge
Seventh Industrial Tribunal