

I/662627/2025

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/ 778 / (LC-IR)/ LABR- 22015(16)/52/2024

Date: 08-07-2025

**ORDER**

WHEREAS under Labour Department's Order No. Labr/798/(LC-IR)/22015(16)/52/2024 dated 16.08.2024 with reference to the Industrial Dispute between M/s. Saroj Mohan Institute of Technology (Degree Engineering Division), Bandhagachi, P.O. Guptipara, P.S.-Balagarh, Hooghly-71251 and their workman Shri Madhab Maity, S/o. Late Netai Charan Maity, 55/97/A.K.C. Sen Road, P.O.-Morepukur, P.S.-Risra, Dist.-Hooghly, Pin-712250 regarding the issues mentioned in the said order, being a matter specified in the Second Schedule of the Industrial Dispute Act' 1947 (14 of 1947), was referred for adjudication to the 3<sup>rd</sup> Industrial Tribunal, Kolkata.

AND WHEREAS the 3<sup>rd</sup> Industrial Tribunal, Kolkata, has submitted to the State Government its Award dated 07.07.2025 in Case No. 42/2024/10 on the said Industrial Dispute Vide e-mail dated 07.07.2025 in compliance of Section 10(2A) of the I.D. Act' 1947.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Dispute Act's 1947 (14 of 1947), the Governor is hereby pleased to publish the said Award in the Labour Department's official website i.e. [wblabour.gov.in](http://wblabour.gov.in).

By order of the Governor,



Assistant Secretary  
to the Government of West Bengal

No. Labr/ 778 /1(5)/(LC-IR)/ LABR- 22015(16)/52/2024

Date: 08-07-2025

Copy forwarded for information and necessary action to:

1. M/s. Saroj Mohan Institute of Technology (Degree Engineering Division), Bandhagachi, P.O.-Guptipara, P.S.-Balagarh, Hooghly-71251.
2. Shri Madhab Maity, S/o. Late Netai Charan Maity, 55/97/A.K.C. Sen Road, P.O.-Morepukur, P.S.-Risra, Dist.-Hooghly, Pin-712250.
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, 11<sup>th</sup> Floor, Kolkata- 700001.
5. 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/ 778 /2(3)/(LC-IR)/ LABR- 22015(16)/52/2024

Date: 08-07-2025

Copy forwarded for information to:

1. The Judge, 3<sup>rd</sup> Industrial Tribunal, West Bengal New Secretariat Buildings, Kolkata. with reference to her e-mail dated 07.07.2025.
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 Third Industrial Tribunal, West Bengal  
New Secretariat Buildings, Kolkata

Present: Sri Mihir Kumar Mondal  
Judge, 3<sup>rd</sup> Industrial Tribunal  
Kolkata.

**Case No.42/2024/10; u/s. 10 of the I.D. Act, 1947**

**AWARD**

**Dated :07-07-2025**

The Labour Department, Government of West Bengal has referred an Industrial Dispute between M/s. Saroj Mohan Institute of Technology (Degree Engineering Division), Bandhagachi, P.O.-Guptipara, P.S.-Balagarh, Hooghly-712512 and its workman Shri Madhab Maity, S/o. Late Netai Charan Maity, 55/97/A.K.C. Sen Road, P.O.-Morepukur, P.S.-Risra, Dist.-Hooghly, Pin-712250 to this Tribunal vide Order No. Labr./798/(LC-IR)/22015(16)/52/2024 dated 16.08.2024 on the following issue(s) for adjudication:

**ISSUE(S)**

- “3) *Whether the termination of service of the workman Shri Madhab Maity w.e.f. 01.07.2022 by the management of M/s. s Saroj Mohan Institute of Technology (Degree Engineering Division), Bandhagachi, P.O.-Guptipara, P.S.-Balagarh, Hooghly-712512 ?*
- 4) *If so whether the quantum of punishment commensurate with the degree of offence ?*
- 3) *What relief is the workman entitled to?”*

[ISSUE(S) are reproduced above as those were typed and framed in the body of the Order of Reference]

On receiving the ‘Order of Reference’ of the appropriate Government containing ‘Reference of Disputes’, this Tribunal on 19.09.2024 by its Order No. 1 issued Notice upon both the parties through speed post. On receiving the notice, M/s. Saroj Mohan Institute of Technology (Degree Engineering Division) entered its appearance through its Ld. Advocate duly appointed by executing Vakalatnama but neither the Notice in Form D-2 returned unserved nor the workman entered his appearance in this case in response to the Notice in Form D-2.

On scrutiny of the record it is found that this Tribunal by its order dated 25.06.2025 has made an observation that by order dated 19.09.2024 notices in Form D-2 were issued upon both the parties to this case and subsequently on 12.12.2024 M/s. Saroj Mohan Institute of Technology (Degree Engineering Division) entered its appearance on receiving the Notice in Form D-2, but despite of passing some consecutive dates fixed in this case the workman Madhab Maity did not enter his appearance in this case. It has also been observed that Notice in Form D-2 was sent to the workman Madhab Maity in his given address but such Notice has not been returned unserved and accordingly it has been presumed that Notice in Form D-2 has been duly served upon the workman Madhab Maity even though he did not enter his appearance in this case.

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It is seen that today also Ld. Advocate for M/s. Saroj Mohan Institute of Technology (Degree Engineering Division) is found absent.

In view of the situation and non-complying conduct/attitude of the workman, this Tribunal thinks it fit and proper to pass a No Dispute Award today.

The conduct of the workman, as discussed above, indicates that perhaps he has lost his interest in this case and also he has abandoned the matter in dispute i.e. the industrial dispute between him and M/s. Saroj Mohan Institute of Technology (Degree Engineering Division) and thus this is a fit case to be dealt with as per Rule 22 of the West Bengal Industrial Dispute Rules, 1958 since the industrial dispute is ceased to be existed.

Accordingly, and in terms of Rule 22 of the West Bengal Industrial Disputes Rules, 1958 as amended till date, this Tribunal holds that the instant **Industrial Dispute** being Case No. **42/2024/10** instituted on **19.09.2024** is **no longer in existence, between the parties.**

The aforesaid constitutes the **No Dispute Award** passed by this Tribunal in the instant Case No. **42/2024/10**, which stands disposed of forthwith.

In view of letter No. Labr./944(3)/(LC-IR)/22016/7/2024 dated 13.09.2024 of the Assistant Secretary, Labour Department, I.R. Branch, Government of West Bengal, New Secretariat Buildings, 12<sup>th</sup> Floor, the PDF copy of the Award be sent to the Labour Department, Government of West Bengal through e-mail ID(wblabourcourt@gmail.com) for information.

Dictated & corrected by me

sd/-  
Judge

sd/-  
Judge  
3<sup>rd</sup> Industrial Tribunal  
Kolkata  
07.07.2025