

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

No. Labr/262/(LC-IR)

Date : 11.03.19

ORDER

WHEREAS under the case no VIII-03/2010(VI) of the Industrial Dispute Act, 1947 the Industrial Dispute between M/s Malnady Tea Estate, Khairu Place, Kolkata-72 and their workman Shri Kartick Bhuiya, S/O Late Ramcharan Bhuiya, Malnady Tea Estate, P.O. Mal, Dist. Jalpaiguri regarding the issue mentioned in the said order, being a mater specified in the Third Schedule to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Judge, 6th Industrial Tribunal, West Bengal.

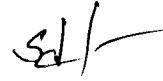
AND WHEREAS the Judge of the said 6th Industrial Tribunal, West Bengal, has submitted to the State Government its award on the said Industrial Dispute.

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,



Deputy Secretary
to the Government of West Bengal

No. Labr/262/1(5)/(LC-IR)

Date : 11.03.19

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

1. M/s : Malnady Tea Estate, Khairu Place, Kolkata-72 .
2. Shri Kartick Bhuiya, S/O: Late Ramcharan Bhuiya, Malnady Tea Estate, P.O. Mal, Dist. Jalpaiguri .
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The Labour Commissioner, W.B. New Secretariat Buildings, 1, K. S. Roy Road, 11th Floor, Kolkata-700001.
- ✓ 5. The O.S.D., IT Cell, Labour Department, with the request to cast the Award in the Department's website.



Deputy Secretary

Before the Judge, Sixth Industrial Tribunal
North Bengal Region at Jalpaiguri
Nawab Bari Judicial Complex
Jalpaiguri.

Case No. VIII-03/2010 (VI)

Present: Sri B. N. Bhaduri, Judge,
Sixth Industrial Tribunal, North Bengal Region at Jalpaiguri
Nawab Bari Judicial Complex, Jalpaiguri.

Sri Kartick Bhuiya S/o Late Ramcharan Bhuiya
Resident of Malnady Tea Estate,
P.S. & P.O. Mal,, Dist. Jalpaiguri.

.....The Applicant

-VS-



Malnady Tea Estate, a Tea Garden unit of
Malnady Tea Estate Pvt. Ltd. having its
Registered office at Khairu Place,
Kolkata-700072
and the tea garden at Maldady Tea Estate
P.S.&P.O.Mal, Dist. Jalpaiguri, represented by the
Manager, Malnady Tea Estate.

.....The Opposite Party.

Order No.38 dt. 21/01/2019

Today is fixed for filing W.S. and list of documents by the employer as a last chance. The employee and the employer have not taken any steps today. Today also none appeared on repeated calls.

On careful perusal of the record it is found that the workman, Sri Kartick Bhuiya, filed this case directly to this Tribunal for setting aside the order of dismissal. Accordingly, the case was started and notices were issued in Form No.D2 fixing 16/07/2010 for SR, appearance and for further order. It is found that notices were served and both the parties appeared. Since last few dates no step has been taken by the employee and the employer. Therefore, it is clear that the petitioner has no interest in the further proceeding of this case and there is also no reasonable ground to keep this case pending any more.

Under such circumstances, I have no other alternative but to hold that the Industrial Disputes raised in between the parties to this case is no longer in existence and accordingly the case is to be disposed of as per provision of Rule-22 of the West Bengal Industrial Disputes Rules, 1958. Hence it is

ORDERED

That this Industrial Dispute between the parties to this case is no longer in existence and accordingly no award is passed. The case is disposed of accordingly.

Copy of this "No Dispute Award " be sent to the Assistant Secretary, Labour Department, I.R. Branch, Govt. of West Bengal, New Secretariat Buildings, Block-A, 12th Floor, 1, K. S. Ray Road, Kolkata-700001, for his information with a request to publish the same in the Calcutta Gazette within 30 days from the date of its receipt.

True copy
Don't mind
JUDGE
6th Industrial Tribunal
Jalpaiguri
Sdf (Baidya Nath Bhaduri)
Judge,
Sixth Industrial Tribunal
Jalpaiguri.

Sdf (Baidya Nath Bhalduri)
Judge,
Sixth Industrial Tribunal
Jalpaiguri.