

I/41567/2019

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

No. Labr/ 290. / (LC-IR)/22015(14)/39/2019

Date : 15.03.19

**ORDER**

WHEREAS under the Government of West Bengal, Labour Department Order No. 797 – IR/11L-7/97 dated 03.05.1999 the Industrial Dispute between M/s Himalayan Endeavour (P) Ltd., P.O. – Old Malda, Dist. – Malda and their workman Sri Gautam Roy represented by Himalayan Endeavour Majdoor Union, (Affiliated to U.T.U.C.), C/o R.S.P Office, Atul Chandra Market, P.O. & Dist. - Malda regarding the issue mentioned in the said order, being a matter to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Judge, Sixth Industrial Tribunal, West Bengal.

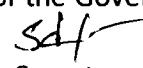
AND WHEREAS the Judge of the said Sixth Industrial Tribunal, West Bengal, has submitted to the State Government its award on the said Industrial Dispute.

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/ 290/1(5) / (LC-IR)

Date : 15.03.19

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

1. M/s Himalayan Endeavour (P) Ltd., P.O. – Old Malda, Dist. – Malda.
2. The Secretary, Himalayan Endeavour Majdoor Union, (Affiliated to U.T.U.C.), C/o R.S.P Office, Atul Chandra Market, P.O. & Dist. - Malda.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The Labour Commissioner, W.B. New Secretariate Buildings, 1, K. S. Roy Road, 11<sup>th</sup> 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

No. Labr/ 290/2(2) / (LC-IR)

Date : 15.03.19

Copy forwarded for information to :

1. The Judge, Sixth Industrial Tribunal, West Bengal with reference to his Memo No. 19/I.T.(J) dated 28.01.2019.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata 700001.

Deputy Secretary

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

Case No. VIII-03/1999 (VI)

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

M/s. Himalayan Endeavour (P) Ltd. having its  
Unit at Old Malda, P.O. Old Malda, Dist. Malda.  
.....Employer.

-VS-

Their workman Sri Gautam Roy  
represented by Himalayan Endeavour  
Majdoor Union, (Affiliated to U.T.U.C.),  
C/o R.S.P. Office, Atul Chandra Market,  
P.O. & Dist. Malda.

.....Workman.

Order No. 22 dt. 15/01/2019

Today is fixed for further evidence of employer side. The employee and the employer have not taken any steps today. None appeared on repeated calls.

On careful perusal of the record it is found that a copy of Order No. 797-I.R./IR/11L-7/97 dated 03/05/1999 of the Govt. of West Bengal, Labour Department, I. R. Branch, Writers' Buildings, Kolkata-700001, was received on 13.05.1999. Accordingly, the case was started and notices were issued in Form No. D2 fixing 31/05/1999 for SR, appearance and for further order. It is found that notices were served and both the parties appeared. Since last few dates and no step has been taken by the employee and 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, 12<sup>th</sup> 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*  
*Bonfide*  
*15/01/2019*  
*15/01/2019*  
*15/01/2019*  
Sd/- (Baidya Nath Bhaduri )  
Judge,  
Sixth Industrial Tribunal  
Jalpaiguri.



Sd/- (Baidya Nath Bhalduri )  
Judge,  
Sixth Industrial Tribunal  
Jalpaiguri.