

In the Seventh Industrial Tribunal, West Bengal
New Secretariat Buildings, Kolkata

Present:

Shri Ashis Kumar Das, Judge,
Seventh Industrial Tribunal, Kolkata

Case No. 06/2A(2)/2016

Sri Manish Kumar Singh
9, Kali Prasan Singhi Road, Cossipore,
P.S.-Chitpur, Kolkata-700002.

... Applicant

Versus

ECE Industries Limited
P-46A, C.I.T. Scheme, XL V, Radha Bazar Lane,
P.S. Hare Street, Kolkata-700001.

...OP/Company

A W A R D

Dated : 11-06-2019

Today is fixed for passing necessary order.

Ld. Advocate for the OP/Company is present.

None is found present on behalf of the applicant / workman.

Case record is taken up for passing order.

This is a case under Section 2A(2) of the Industrial Disputes Act 1947, filed by the applicant/workman Sri Manish Kumar Singh, challenging the termination of his service by his employer ECE Industries Ltd. and praying inter alia, reinstatement in service with full back wages and consequential benefits.

Upon such registration of the case, this Tribunal issued notice upon the O.P/Company at their given address at P-46A, C.I.T., Scheme XL V, Radha Bazar Lane, P.S. Hare Street, Kolkata-1 and directed them to appear on 21.03.2016 and answer the claims of the workman, by filing their written statement and thereafter on 21.03.2016 OP/Company appeared and thereafter, on 13.02.2017 the OP/Company filed written statement and thereafter, on 08.06.2017 issues were framed fixing 25.07.2017 for evidence of the applicant / workman and thereafter, on 13.09.2017 applicant filed affidavit-in-chief and thereafter, on 21.12.2017 the applicant has tendered his affidavit-in-chief on dock and cross-examined in part by the OP/Company and the cross-



examination was deferred on the prayer of the OP/Company fixing 19.02.2018 for further cross-examination of the applicant (PW-1) and thereafter, hearing was adjourned on several subsequent dates till 26.11.2018 and this Tribunal fixed 31.01.2019 for further cross-examination of PW-1.

Perusing the materials on record, it appears that the applicant stopped taking steps since 31.01.2019. It further appears that on 10.04.2019 this Tribunal issued show-cause notice upon the applicant directing him to show-cause by 13.05.2019 as to why this case shall not be disposed of as "No Dispute Award" in accordance with law. From the report of the process server, it appears that the show-cause notice sent to the applicant under registered post has been returned on 13.05.2019 with the postal remark "unclaimed", which amounts to good service. Moreover, it appears from the order dated 10.04.2019 that the Ld. Advocate for the applicant filed a petition on that day informing this Tribunal that the applicant is not making any contact with him for more than four months and as such it seems to him that the applicant is not interested to contest this case. So, it appears to me that the applicant is not willing to proceed with this case further.

Therefore, considering all aspects, I am of the view that this is a fit case for passing a "No Dispute Award".

Hence, it is,

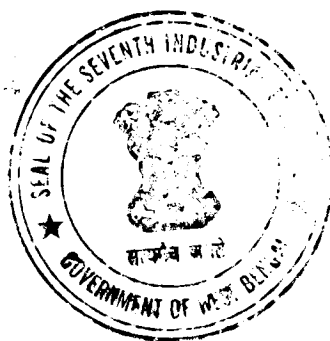
O r d e r e d

That the proceeding under Section 2A(2) of the Industrial Disputes Act, 1947 be and the same is disposed of by way of "No Dispute Award".

This is my Award.

Dictated & Corrected by me

sd/-
Judge
Seventh Industrial Tribunal



sd/-
Judge,
Seventh Industrial Tribunal
Kolkata
11.06.2019
Judge
Seventh Industrial Tribunal