

I/129849/2021

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

No. Labr/841/(LC-IR)/22015(16)/629/2019

Date : 06/04/2021

ORDER

WHEREAS an industrial dispute existed between M/s Murlidhar Ratanlal Exports Ltd., 3, William Carey Road, Serampur, Dist. - Hooghly, Pin - 712201 and his workman Sri Tapeswar Roy, 9, Bachu Dey Lane, Srirampur, Dist. - Hooghly, Pin - 712201 regarding the issue, being a matter specified in the second schedule to the Industrial Dispute Act, 1947 (14 of 1947);

AND WHEREAS the workman has filled an application under section 10(1B)(d) of the Industrial Dispute Act, 1947 (14of 1947) to the Judge, Third Industrial Tribunal, Kolkata specified for this purpose under this Deptt.'s Notification No. 1085-IR/12L-9/95 dated 25.07.1997.

AND WHEREAS, the Judge of the said Third Industrial Tribunal, Kolkata heard the parties under section 10(1B)(d) of the I.D. Act, 1947 (14of 1947).

AND WHEREAS the said Judge, Third Industrial Tribunal, Kolkata has submitted to the State Government its Award under section 10(1B)(d) of the I.D. Act, 1947 (14of 1947) on the said Industrial Dispute.

Now, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Dispute Act, 1947 (14of 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/-

Deputy Secretary
to the Government of West Bengal

I/129849/2021

: 2 :

No. Labr/ ^{841/1(5)}...../(LC-IR)

Date : 06/03/2021

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

1. M/s Murlidhar Ratanlal Exports Ltd., 3, William Carey Road, Serampur, Dist. - Hooghly, Pin - 712201.
2. Sri Tapeswar Roy, 9, Bachu Dey Lane, Srirampur, Dist. - Hooghly, Pin - 712201.
3. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The Labour Commissioner, W.B., New Secretariat Buildings, (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.



Deputy Secretary

No. Labr/ ^{841/2(2)}...../(LC-IR)

Date : 06/03/2021

Copy forwarded for information to :-

1. The Judge, Third Industrial Tribunal, Kolkata, with respect to his Memo No. 472 - L.T. dated 25.03.2021.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.

Deputy Secretary

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

P R E S E N T :

**Shri Sanjeev Kumar Sharma, Judge,
Third Industrial Tribunal, Kolkata.**

Case No. 10/2018; u/s. 10(1B)(d) of the I.D. Act, 1947

Sri Tapeswar Roy
9, Bachu Dey Lane, Srirampore,
Hooghly, PIN-712201

... Applicant

Versus

M/s. Murlidhar Ratanlal Exports Ltd.,
3, William Carey Road, Serampore,
District-Hooghly, PIN-712201.

... OP/ Company

A W A R D

Dated : 25-03-2021

Today is fixed for filing show-cause by the applicant.

Applicant is absent without steps and does not appear even on repeated calls. It is 11:50 a.m. now.

The Company also failed to file additional written statement despite affording a number of opportunities.

The applicant / workman filed the instant application u/s. 10(1B)(d) of the Industrial Disputes Act, 1947 after obtaining certificate from the Conciliation Officer praying for his reinstatement with due wages on the ground that he was illegally terminated from service by the Company. After framing of issues the case was fixed for recording evidence. At this stage, the applicant amended his written statement. The Company was given opportunity to file additional written statement, but the record reveals that the parties did not turn up on and from 16.12.2019.

It appears from the conduct of the workman that he is not interested to proceed with his application.

Having regard to the facts and circumstances and the conduct of the parties it can fairly be presumed that the dispute between the parties no longer exists. Therefore, the instant application u/s. 10(1B)(d) of the Industrial Disputes Act, 1947 stands dismissed under Rule 22 of the West Bengal Industrial Dispute Rules, 1958 and an award in this case is passed accordingly.

This is my AWARD.

Dictated & corrected by me

sd/-
Judge

sd/-
Judge
Third Industrial Tribunal
Kolkata
25-03-2021