

/61509/2019

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./ 858/(LC-IR)/11L-28/18

Date : ... 13/9/19

**ORDER**

WHEREAS an industrial dispute existed between Brahmapur Tea Estate, a tea garden unit of Jayati Agro Product (P) Ltd., Raja Ram Mohon Roy Road, Hakimpara, P.C Siliguri, Dist. Darjeeling and Sri Dhaneswar Roy, S/o Late Suk Deb Roy, Vill. Brahmapur, P.C Padamati, P.S. Maynaguri, Dist. Jalpaiguri being a matter specified in the second schedule to the Industrial Dispute Act, 1947 (14 of 1947) ;

AND WHEREAS the workman has filed an application to the Judge, Sixth Industrial Tribunal ;

AND WHEREAS the said Judge, Sixth Industrial Tribunal 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/858/1(5)/(LC-IR)

Date : ... 13/9/19

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

1. M/s Brahmapur Tea Estate, a tea garden unit of Jayati Agro Product (P) Ltd., Raja Ram Mohon Roy Road, Hakimpara, P.O. Siliguri, Dist. Darjeeling.
2. Sri Dhaneswar Roy, S/o Late Suk Deb Roy, Vill. Brahmapur, P.O. Padamati, P.S. Maynaguri, Dist. Jalpaiguri.
3. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The Labour Commissioner, W.B., New Secretariat Buildings, (11<sup>th</sup> Floor), 1, Kiran Sankar Roy Road, Kolkata - 700001.
- ✓ 5. The O.S.D., IT Cell, Labour Department, with the request to cast the Award in the Department's website.

No. Labr/858/2(2)/(LC-IR)

R 013.9.19  
Deputy Secretary  
Date : ... 13/9/19

Copy forwarded for information to :-

1. The Judge, Sixth Industrial Tribunal, West Bengal, with respect to his Memo No. 58/I.T.(J) dated 11.07.2019.
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-01/2006 (VI)

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

Sri Dhaneswar Roy S/o Late Suk Deb Roy  
Resident of Vill. Brahamapur,  
P.S. Maynaguri, P.O. Padamati,  
Dist. Jalpaiguri.

.....The applicant

-VS-

Brahmapur Tea Estate, a tea garden unit of  
Jayati Agro Product(P) Ltd. having its registered  
office at Raja Ram Mohon Roy Road, Hakimpara,  
P.O. Siliguri, Dist. Darjeeling and the tea garden at  
Vill. Brahamapur, P.S. Maynaguri, P.O. Padamati,  
Dist. Jalpaiguri, represented by the Manager  
of Brahamapur Tea Estate.

.....The Opposite Party



Order No. 60 dt. 02/07/2019

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 Dhaneswar Roy 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 27/04/2006 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, 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.

( Baidya Nath Bhaduri )  
sd/ Judge,  
Sixth Industrial Tribunal  
Jalpaiguri.

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

*True copy*

*Baidya Nath Bhaduri*  
JUDGE  
Sixth Industrial Tribunal  
Jalpaiguri