

I/126812/2021

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

No. Labr/720/(LC-IR)/22015/4/2021 Date: 18-03-2021

ORDER

WHEREAS an industrial dispute existed between (1) M/s Abdul Goni, Vill - Pana, P.O. Doro Joynagar, Haldia, Purba Medinipur, Pin - 721635, (2) M/s West Bengal Waste Management Ltd., Vill & P.O. - Purba Shrikrishnapur, Purba Medinipur, Pin - 721635 and Sr Sk. Ayub Ali, Vill & P.O. - Purba Shrikrishnapur, Purba Medinipur, Pin - 721635 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 (14 of 1947) to the Judge, First Labour Court, 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 First Labour Court, Kolkata heard the parties under section 10(1B)(d) of the I.D. Act, 1947 (14 of 1947).

AND WHEREAS the said Judge, First Labour Court, Kolkata has submitted to the State Government its Award under section 10(1B)(d) of the I.D. Act, 1947 (14 of 1947) 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

I/126812/2021

: 2 :

No. Labr/72011(5)/...../(LC-IR)

Date: 18-03-2021

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

1. M/s Abdul Goni, Vill - Pana, P.O. - Doro Joynagar, Haldia, Purba Medinipur, Pin - 721635.
2. Sri Sk. Ayub Ali, Vill & P.O. - Purba Shrikrishnapur, Purba Medinipur, Pin - 721635.
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

Date: 18-03-2021

No. Labr/72012(2)/...../(LC-IR)

Copy forwarded for information to :-

1. The Judge, First Labour Court, Kolkata, with respect to his Memo No. 198 - L.T. dated 11.02.2021.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.

Deputy Secretary

In the matter of an application under Section 10(1B)(d) of the Industrial Disputes Act, 1947 filed by Sk. Ayub Ali of Village & P.O. – Purba Shrikrishnapur, Purba Medinipur – 721635 being the applicant against M/s. Abdul Goni of Village – Pana, P.O. Doro Joynagar, Haldia, Purba Medinipur – 721635 and M/s. West Bengal Waste Management Ltd. of Village & P.O. – Purba Shrikrishnapur, Purba Medinipur – 721635 being the Opposite Parties.

Case No. Comp. 05 of 2017 under section 10(1B)(d) of the Industrial Disputes Act, 1947.

Present: Mr. Tito Rob, Judge
First Labour Court,
Kolkata

Date: 13th February, 2020

AWARD

Today is fixed for evidence to be adduced by the applicant. The applicant –Workman has taken out an application today alongwith a put-up petition praying for dismissing the case on ground of non-prosecution. The principal application is supported by verification. Copy served upon the opposite parties. Perused the petition. Hd. the Ld. Advocates for the respective parties. Noted the contents made therein. The applicant-Workman, Sk. Ayub Ali, is examined and cross-examined on the aforesaid petition as P.W.-1. P.W.-1 has categorically stated in his evidence that he is not inclined to proceed with this case. He has stated further that he has already joined the O.P. No. 1 concern and he is working at the site of O.P. No. 2. He has no grievances and claim against the opposite parties as claimed by him in Case No. 04 of 2017 under Section 10(1B)(d) of the Industrial Disputes Act, 1947. In course of his cross-examination he has stated that there is no coercion or pressure upon him to withdraw the case and he is not proceeding with this case voluntarily.

Hence, it is

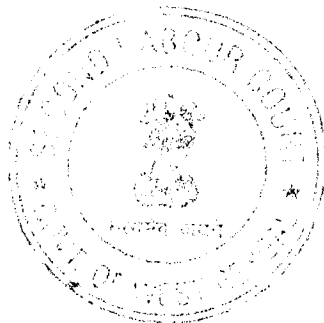
ORDERED

that the instant case under section 10(1B)(d) of the Industrial Disputes Act, 1947 be and the same stands dismissed for non-prosecution. No order as to cost is passed.

Let a copy of this order be sent to the concerned department of Government of West Bengal.

Dictated & corrected by me

Sd/ —
Judge



Sd/ —
(Tito Rob)
Judge
1st L.C. & In-charge of
Second Labour Court,
Kolkata
13.02.2020