

I/200695/2022

Government of West Bengal
Labour Department, I.R. Branch

N.S.Buildings, 12th Floor, 1, K.S. Roy Road, Kolkata - 700001

No. Labr./ 605 / (LC-IR)/22015(16)/24/2022 Date : 17/07/2022

ORDER

WHEREAS an industrial dispute existed between M/s Krishna Trading Co., 444, Marshall House, 33/1, Netaji Subhash Road, Kolkata - 700001 and its workman Shri Debasis Chakraborty, Vill.- Naranarayanchak, P.O.- Monsuka, Dist.- Howrah, Pin - 711410 regarding the issues being a matter specified in the second schedule of the Industrial Dispute act, 1947 (14of 1947);

AND WHEREAS the workman has filed an application directly under sub-section 2 of Section 2A of the Industrial Dispute act, 1947 (14of 1947) to the Second Industrial Tribunal specified for this purpose under this Department Notification No. 101-IR dated 2.2.12;

AND WHEREAS the said Second Industrial Tribunal has submitted to the State Government its Award dated 01.02.2021 on the said Dispute vide Memo No. 781 - L.T. dated 19.07.2021.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Disputes 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,

Sd/-
Joint Secretary

to the Government of West Bengal

Date : 17/07/2022

No. Labr/ 605 / 1(2)/(LC-IR)

Copy forwarded for information to :

1. The Judge, Second Industrial Tribunal with reference to his Memo No. 781 - L.T. dated 19.07.2021.
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.

Sd/-
Joint Secretary

No. Labr/ 605 / 2(6)/(LC-IR)

Date : 17/07/2022

Copy with a copy of the Award is forwarded for information & necessary action to:

1. M/s Krishna Trading Co., 444, Marshall House, 33/1, Netaji Subhash Road, Kolkata - 700001.
2. Shri Debasis Chakraborty, Vill.- Naranarayanchak, P.O.- Monsuka, Dist.- Howrah, Pin - 711410.
3. The Assistant Labour Commissioner, W.B., In-Charge of Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B., New Secretariat Building (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.
6. Office Copy.

Sd/-
Joint Secretary

(Case No. 01/2018 U/s. 2A(2))

Shri Debasis Chakraborty

Vs.

M/s. Krishna Trading Co.

Order No. 37 dt. 01.02.2021

The Ld. Lawyers of both sides are present.

Today is fixed for passing order.

By a petition dt. 10.12.2019 the O.P. company prayed for passing order as the present case is not maintainable U/s. 2A(2) of the Industrial Disputes Act, 1947.

Heard both sides. The Ld. Lawyer for the O.P. Company submits that he will not move this petition. Hence this petition is rejected as not moved by the O.P. Company.

The petition dt. 02.01.2020 filed by the petitioner is taken up for hearing.

Heard both sides and perused the record.

As per this petition, the petitioner has prayed for withdrawal of this case with a liberty to file a fresh case in terms of the existing law because Section 2A(2) of the Industrial Disputes Act, 1947 has been repealed and accordingly if this case is not withdrawn, the petitioner will suffer loss and injury.

Considering the present position of law, the prayer of the petitioner for withdrawal of this case is allowed.

Hence it is

Ordered,

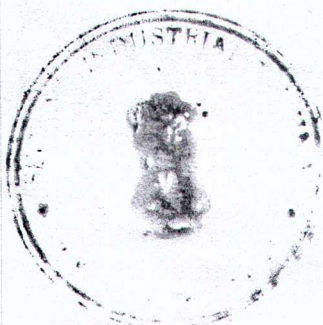
that the case No. 01/2018 is withdrawn with liberty to the petitioner to file a fresh case in terms of the existing law.

According to Section 17AA of the Industrial Disputes Act, 1947, let a certified copy of this award be supplied to each of both the parties to this case free of cost forthwith for information, and let a certified copy of this award be sent to the Principal Secretary to the Government of West Bengal, Labour Department, New Secretariat Buildings, 1, K.S. Roy Road, Kolkata-700001 for information.

Let this order be treated as award.

Dictated & corrected by me.

Judge



(Partha Sarathi Mukhopadhyay)

Judge

Second Industrial Tribunal

Kolkata

01.02.2021