

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

No. Labr/918/(LC-IR)/11L-200/11 Date: 17/10/2022

ORDER

WHEREAS an industrial dispute existed between M/s. Dream Bake (P) Limited, Plot No. F1 & F2, Phase II, WBIDC Kanduah Food Park, Sankrail, Howrah - 711302 and Sri Sukhen Pal, S/o Sri Rabin Pal, Vill. – Ramchandrapur, P.O & P.S. Sankrail, Howrah – 711313 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 filed an application under section 10(1B) (d) of the Industrial Dispute Act, 1947 (14of 1947) to the Second Industrial Tribunal specified for this purpose under this Deptt.'s Notification No. 1085-IR/12L-9/95 dated 25.07.1997.

AND WHEREAS, the Second Industrial Tribunal heard the parties under section 10(1B) (d) of the I.D. Act, 1947 (14of 1947) and framed the following issue dismissal of the workman as the "issue" of the dispute.

AND WHEREAS the Second Industrial Tribunal has submitted to the State Government its Award dated 29/08/2022 under section 10(1B) (d) of the I.D. Act, 1947 (14of 1947) on the said Industrial Dispute vide memo no. 1373 – L. T. dated 02/09/2022.

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,

Sell-

Joint Secretary

to the Government of West Bengal

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18/10/2022

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No. Labr/. 918/.1/(5)/(LC-IR)

Date : 17/10/2022

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

1. M/s. Dream Bake (P) Limited, Plot No. F1 & F2, Phase II, WBIDC Kanduah Food Park, Sankrail, Howrah - 711302.
2. Sri Sukhen Pal, S/o Sri Rabin Pal, Vill. – Ramchandrapur, P.O & P.S. Sankrail, Howrah – 711313.
3. The Asstt. Labour Commissioner, W.B. In-Charge, 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 Sr. Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.


Joint Secretary

No. Labr/. 918/.2/(2)/(LC-IR)

Date 17/10/2022

Copy forwarded for information to:-

1. The Judge, ~~Second Industrial Tribunal West Bengal~~, with respect to his Memo No. 1373 – L. T. dated 02/09/2022.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata – 700001.

Joint Secretary

Before the 2nd Industrial Tribunal, Kolkata

Present : Shri Partha Sarathi Mukhopadhyay, Judge

2nd Industrial Tribunal, Kolkata

Case No. 02 of 2016

Under Section 10(1B)(d) of The Industrial Disputes Act, 1947

Shri Sukhen Pal- - - - - - - - - - -Applicant

S/o Shri Rabin Pal, Vill.-Ramchandrapur, P.O. & P.S. Sankrail,
Howrah-711313.

-Vs-

M/S. Dream Bake Pvt. Ltd.- - - - - - - - - - -Opposite Party

Plot No.F1 & F2, Phase II, WBIDC Kanduah Food Park, Sankrail,
Howrah - 711302.

Order No. 69 dated 29.08.2022

The petitioner alongwith his Ld. Lawyer are present.

The Ld. Lawyer for the O.P. company along with one witness are present.

Today is fixed for evidence of the petitioner on the point of validity of domestic enquiry but both sides have filed memorandum of settlement and submitted that the case has been compromised and they pray for disposal on the basis of the compromise petition.

Heard the petitioner and one witness from the O.P. company and perused the memorandum of settlement.

As the case is going to be settled on the basis of a compromise petition, the petitioner as the PW-I is examined, crossexamined and discharged and one witness of the O.P. company is examined and crossexamined as the OPW-I.

The petitioner as the PW-I has stated that he has received one cheque of Rs. 11,686.00 from the O.P. company as final settlement of all his claims and dues and his service will be treated as dismissed confirmly and he has no further claim against the O.P. company and the OPW-I also has deposed that the O.P. company has paid a cheque of Rs. 11,686.00 to the petitioner out of settlement.

Seen the settlement paper and receipt of cheque of Rs. 11,686.00 by the petitioner from the O.P. company.

Hence, it is

ORDERED

that the Case No. 02 of 2016 under Section 10(1B)(d) of The Industrial Disputes Act, 1947 is disposed of today on consent in terms of the memorandum of settlement dt. 29.08.2022.


Let the memorandum of settlement dt. 29.08.2022 be made a part of this Award.


Let this order and judgement be treated as an Award.

According to Section 17AA of The Industrial Disputes Act, 1947, 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 700 001 for information, and let a certified copy of this Award be supplied to each of both the parties of this case, free of cost, forthwith for information.

The case is disposed of today.

Dictated & corrected by me.

Judge 


2nd Industrial Tribunal
29.08.2022