

1/330717/2022

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

No. Labr/ 919 / (LC-IR)/11L-05/16

Date: 17/10/2022

**ORDER**

WHEREAS an industrial dispute existed between 1) M/s. Technomake Solution Pvt. Ltd., O.P. No. 1, 254, Prince Anwar Shah Road, Kolkata – 700045, 2) M/s. Pepsi Co. India Holdings (P) Ltd., O.P.No.2, J.L. No.2 & 4, Kendua Panchayet, Mouza-Jaldhulagori, P.O. Dhulagori, Distt. – Howrah, Pin - 711302 and Sri Mantu Maji, C/o Rabindra Nath Maji, Vill. & P.O. Deulti, P.S. Bagnan, Distt. Howrah, Pin - 711303 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 26/08/2022 under section 10(1B) (d) of the I.D. Act, 1947 (14of 1947) on the said Industrial Dispute vide memo no. 1340 – L. T. dated 30/08/2022.

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,

*Sd/-*  
Joint Secretary

to the Government of West Bengal

I/330717/2022

No. Labr/. 919/1/(5)/(LC-IR)

Date : 17/10/2022

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

- X/A ZTR*  
*18/10/2022*  
*Aranda*  
*to*  
*18/10/2022*
1. M/s. Technomake Solution Pvt. Ltd., O.P. No. 1, 254, Prince Anwar Shah Road, Kolkata – 700045.
  2. M/s. Pepsi Co. India Holdings (P) Ltd., O.P.No.2, J.L. No.2 & 4, Kendua Panchayet, Mouza-Jaldhulagori, P.O. Dhulagori, Distt. – Howrah, Pin – 711302.
  3. Sri Mantu Maji, C/o Rabindra Nath Maji, Vill. & P.O. Deulti, P.S. Bagnan, Distt. Howrah, Pin – 711303.
  4. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
  5. The O.S.D. & E.O. Labour Commissioner, W.B., New Secretariat Building, (11<sup>th</sup> Floor), 1, Kiran Sankar Roy Road, Kolkata – 700001.
  6. The Sr. Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.

Joint Secretary

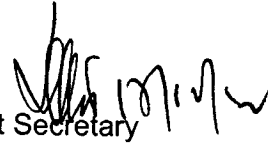
No. Labr/. 919/2/(2)/(LC-IR)

Date 17/10/2022

~~Copy forwarded for information to:-~~

1. The Judge, Second Industrial Tribunal West Bengal, with respect to his Memo No. 1340 – L. T. dated 30/08/2022.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata – 700001.

Joint Secretary



**Before the Judge, Second Industrial Tribunal, West Bengal**

**Present: Shri Partha Sarathi Mukhopadhyay, Judge,**

**Second Industrial Tribunal**

Case No. 01/2019

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

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Sri Mantu Maji- - - - -Applicant

C/o Rabindra Nath Maji, Vill. & P.O.-Deulti, P.S.-Bagnan, Distt.-Howrah, Pin-711303.

-Vs-

M/s. Technomake Solution Pvt. Ltd.- - - - -Opposite Party No. 1

254, Prince Anwar Shah Road, Kolkata 700045.

M/s. Pepsi Co. India Holdings (P) Ltd.- - - - -Opposite Party No. 2

J.L. No.2 & 4, Kendua Panchayet, Mouza-Jaldhulagori, P.O.-Dhulagori, Distt.-Howrah,  
Pin-711302.

Order No. 29, dt. 26.08.2022.

The Ld. Lawyers for two opposite parties are present. But the petitioner is absent and none appears for the petitioner and no step is taken for the petitioner till 11.45 a.m.

Today is fixed for evidence of the petitioner but as the petitioner is absent and none appears for the petitioner till 11.45 a.m. the Ld. Lawyers of two opposite parties left the Court on the ground of absence of the petitioner.

On perusing the record, I find that the petitioner has filed this case under Section 10(1B)(d) of The Industrial Disputes Act, 1947 against the Opposite Parties and today is fixed for evidence of the petitioner but till 11.45 a.m. neither the petitioner nor his Lawyer appears in the Court.

Contd....2/-

Hence, I hold that the petitioner is not interested to proceed with this case.

Hence, it is

**ORDERED**

that the Case No. 01 of 2019 under Section 10(1B)(d) of The Industrial Disputes Act, 1947 is dismissed for default against the O.P. company with cost.

Let this order 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

  
Judge  
2<sup>nd</sup> Industrial Tribunal