

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./942/(LC-12)

Date 07.12.18

ORDER

WHEREAS an industrial dispute existed between M/S Calcutta Jute Manufacturing Co. Ltd., 20, Old Court House Street, P.S. Hare Street, Kolkata-1 and their workman S Mukesh Yadav, 95, Narkeldanga Main Road, Naya Coolie Line, Kadapara, P.S. Phool Bagan Kolkata-54. regarding the issues being a matter specified in the Third schedule of the Industrial Dispute act, 1947 (14 of 1947);

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

AND WHEREAS the said Judge, Third Industrial Tribunal has submitted to the State Government its Award on the said Dispute.

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,



Deputy Secretary  
to the Government of West Bengal

No. Labr/942/1(2) - IR

Dated 07.12.18

Copy forwarded for information to :

1. The Judge, Seventh Industrial Tribunal with reference to his Memo No. 1975 dated 26.09.2018.
2. The Joint Labour Commissioner (Statics), W.B., 6, Church Lane, Kolkata-700001.



Deputy Secretary

Copy: 1/1/1/1/1/1

No. Labr./942/2(5) – IR

Dated ..07..12..2018 .

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

1.M/s Calcutta Jute Manufacturing Co. Ltd., 20, Old Court House Street, P.S. Hare Street, Kolkata-1

2. Sri Mukesh Yadav, 95, Narkeldanga Main Road, Naya Coolie Line, Kadapara P.S. Phool Bagan, Kolkata-54.

4.The Assistant Labour Commissioner, W.B., In-Charge of Labour Gazette.

5.The Labour Commissioner, W.B., New Secretariat Building (11<sup>th</sup> Floor), 1, Kiran Sankar Roy Road, Kolkata – 700001.

✓ 6.The O.S.D., IT Cell, Labour Department, with the request to cast the Award i the Department's website.



Deputy Secretary

In the Seventh Industrial Tribunal, West Bengal  
New Secretariat Buildings, Kolkata

**Present : Sri Avani Pal Singh,**  
Judge, Seventh Industrial Tribunal, West Bengal.

**Case No.50/2A(2)/2017**

**Sri Mukesh Yadav**

95, Narkeldanga Main Road, Naya Coolie Line,  
Kadapara, P.S. Phool Bagan, Kolkata-700054.

**....Applicant**

**versus**

**M/s. Calcutta Jute Manufacturing Co. Ltd.**

20, Old Court House Street,  
P.S. Hare Street, Kolkata-700001.

**.....OP/Company**

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**A W A R D**

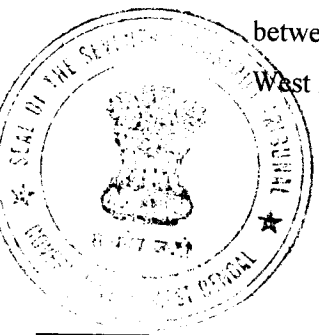
**Dated : 13-09-2018**

None of the parties appear on repeated calls. Today is fixed for steps, by the applicant, failing which for proceedings under Rule 22 of the West Bengal Industrial Dispute Rules, 1958.

Examined the records. The instant case came to be registered on 18.01.2017 when an application under Section 2A(2) of the Industrial Disputes Act, 1947 was filed by the applicant Mukesh Yadav, and upon such registration, a statutory notice, with copy of such application, was issued to the OP/Company at their given address. Upon receipt of such notice, the OP/Company M/s. Calcutta Jute Manufacturing Co. Ltd. duly appeared through their Ld. Advocate on 06.02.2017 and thereafter the OP/Company also filed their written statement on 16.06.2017, on which date the parties were directed to file their 'list of documents' relied.

Records further reveal that on the 'list of documents' being filed by both parties and copies of such documents being exchanged by and between them, this Tribunal framed Issues on 21.05.2018 and called upon the applicant to lead evidence, however no such evidence was led on behalf of the applicant and that apart the applicant, without prior intimation or any cause shown, failed to appear on consecutive dates fixed by this Tribunal, upon which by Order dated 21.08.2018 this Tribunal granted one final opportunity to the applicant for taking steps in the matter by today, failing which it was fixed for proceeding under Rule 22 of the West Bengal Industrial Disputes Rules, 1958.

In the aforesaid backdrop, and in the light of the absence of the parties today as well as the absence of the applicant on three consecutive dates, without prior intimation or sufficient cause, this Tribunal holds that the conduct of the parties indicates that the alleged 'industrial dispute' between the parties no longer exists and this is a fit case for proceeding under Rule 22 of the West Bengal Industrial Disputes Rules, 1958 and passing a 'No Dispute Award'.



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Hence, and in terms of Rule 22 of the West Bengal Industrial Disputes Rules, 1958 as amended till date, this Tribunal holds that the instant **Industrial Dispute** being Case No. 50/2A(2)/2017 **is no longer in existence, between the parties.**

The aforesaid constitutes the **No-Dispute Award** passed in the instant Case No. 50/2A(2)/2017, which shall stand disposed of.

Dictated & corrected by me

*sdl-*  
Judge

Judge  
Seventh Industrial Tribunal

*sdl-*  
Judge,

Seventh Industrial Tribunal  
13/09/2018

Judge  
Seventh Industrial Tribunal

