

The Orissa Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 690 CUTTACK, THURSDAY, APRIL 28, 2005/BAISAKHA 8, 1927

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 19th April 2005

No. 3799-II/1(J)-3/2001-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 26th June 2004 in Industrial Dispute Case No. 9/2001 of the Presiding Officer, Labour Court, Jeypore to whom the industrial disputes between the Management of M/s Payal Talkies, Berhampur, Ganjam and its workman Shri Niranjana Sahu was referred for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE COURT OF THE PRESIDING OFFICER
LABOUR COURT, JEYPORE, KORAPUT

INDUSTRIAL DISPUTE CASE No. 9 OF 2001

Dated the 26th June 2004

Under Sections 10 and 12 of the Industrial Disputes Act, 1947

Present :

Shri R. K. Saran
Presiding Officer, Labour Court
Jeypore, Dist. Koraput.

Between :

The Proprietor, . . . First Party—Management
M/s Payal Talkies, Berhampur,
Dist. Ganjam.

And

Shri Niranjana Sahu . . . Second Party—Workman
S/o Ramhari Sahu
At Ram Nagar (2nd Lane), P. O. Berhampur
Dist. Ganjam.

Appearances :

For the Management	..	Shri K. K. Behera, Advocate Berhampur
For the Workman	..	Self
Date of Argument	..	11-6-2004
Date of Award	..	26-6-2004

AWARD

This is a reference under Section 10(1) read with Section 12(5) of the Industrial Disputes Act, 1947 made by the State Government of Orissa in their Labour & Employment Department memo. No. 5882-L. E., dated the 20th April 2001 for adjudication of the dispute mentioned below :

“Whether the action of the management of M/s Payal Talkies, New Bus Stand Road, Berhampur in terminating the services of Shri Niranjana Sahu, with effect from the 1st January 2000 is legal and/or justified ? If not, to what relief Shri Sahu is entitled ?”

2. In this case the claimant has claimed that his dues has not been paid and he has been illegally removed by the management. After due notice the workman appeared in Berhampur Camp and has been examined in the absence of the management. Subsequently, the date declared as holiday so, again both parties have been noticed. In spite of valid notice the workman did not turn-up nor cross-examined by the management. For which, the management files an application to expunge the evidence of the workman. But, it is not felt appropriate to expunge the evidence of the workman but, from the entire order sheet it is appears that the workman is negligent in coming to court and putforth his claim. This being the situation it is felt that the workman has not interest to proceed the case and probably there is no dispute between the workman and the management.

Hence, the “No Dispute Award” is passed.

Dictated and corrected by me

R. K. SARAN
(26-6-2004)
Presiding Officer
Labour Court, Jeypore

R. K. SARAN
(26-6-2004)
Presiding Officer
Labour Court, Jeypore

By order of the Governor
D. MISHRA
Under-Secretary to Government