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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 2nd April 2005

No. 3324–li/1(J)-14/2003-L. E.–In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 2nd February 2005 in Industrial Dispute Case No. 15/2003 of the Presiding Officer, Labour Court, Jeypore to whom the industrial disputes between the management of Sanjaya Memorial Institute of Technology, Brundaban Vihar, Ankuspur, Ganjam and its Workman of Shri Mochia Naik, ex-Sweeper 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. 15 OF 2003

Dated the 2nd February 2005

Present :

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

Between :

The Management of .. First Party–Management
Sanjaya Memorial Institute of Technology,
Brundaban Vihar, Ankuspur,
At/P. O. Ankuspur, Dist. Ganjam.

Versus

Its Workman .. Second Party–Workman
Shri Mochia Naik (Sweeper),
S/o Shri Trinath Naik,
At/P.O. Ankuspur, Via Kukudakhandi,
Dist. Ganjam.

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

Appearances :

For Both the Parties	..	None
Date of Award	..	2-2-2005

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. 8957(5), dated the 9th September 2003 for adjudication of the dispute mentioned below :

“Whether the termination of services of Shri Mochia Naik, Sweeper with effect from the 17th July 2002 by the President, M/s Sanjaya Memorial Institute of Technology, Brundaban Vihar, Ankuspur, Ganjam is legal and/or justified ? If not, what relief is Shri Naik entitled to ?”

2. While referring the dispute for adjudication the Government in their Memo. No. 8958, dated the 9th September 2003 directed the workman to file the Statement of Claim with serving copy on the management. The claimant file the Statement of Claim. Copy was also served on the management, who filed counter on the petition regarding maintainability of the case and denying the claim. Copy served as per the workman. While the matter was taken up for hearing. The workman did not turn up even though repeated postal notices were issued. Therefore, it is presumed that the claimant has no interest to persue the case or he has no claim whatsoever. Moreover the only conclusion is drawn that there is no dispute between the parties at present. In the result the reference is answered and this no dispute Award is passed.

Dictated and corrected by me

R. K. SARAN
2-2-2005
Presiding Officer, Labour Court,
Jeypore

R. K. SARAN
2-2-2005
Presiding Officer, Labour Court,
Jeypore

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