

# The Orissa Gazette

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No. 496 CUTTACK, TUESDAY, APRIL 4, 2006 / CHAITRA 14, 1928

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## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

The 20th March 2006

No. 2477—li/1(BH)-72/1999 (Pt.)-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 23rd February 2006 in Industrial Dispute Case No. 26 of 1999 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial disputes between the Management of the Managing Director, M/s Utkal Refinery Ltd., Jagatpur, Cuttack and its Workman Shri Dharanidhar Khuntia, Village Tarata, Post Narapada, P. S. Choudwar, Dist. Cuttack was referred for adjudication is hereby published as in the Scheduled below :

### SCHEDULE

IN THE INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 26 OF 1999

Dated the 23rd February 2006

*Present :*

Sk. Jan Hossain, o. s. J. s. (Sr. Branch)  
Presiding Officer, Industrial Tribunal  
Bhubaneswar.

*Between :*

The Managing Director, M/s. Utkal Refinery Ltd. . . . First Party—Management  
Jagatpur, Cuttack.

And

Shri Dharanidhar Khuntia . . . Second Party—Workman  
Village Tarata, P. O. Narapada  
P. S. Choudwar, Dist. Cuttack.

*Appearances :*

For both the Parties . . . None

## AWARD

The Government of Orissa in the Labour & Employment Department, in exercise of powers conferred upon them by sub-section (5) of Section 12, read with clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. 7382—li/1 (B)-72/1999-L. E., dated the 29th May 1999.

“ Whether the termination of services of Shri Dharanidhar Khuntia, Driver by the Managing Director, M/s Utkal Refinery Ltd., Jagatpur with effect from the 4th August 1997 is legal and/or justified ? If not, to what relief Shri Khuntia is entitled ?”

2. This case was posted to the 21st February 2006 for recording *ex parte* evidence from the side of the second party workman, as the first party management due to its non-appearance on the date of hearing had already been set *ex parte* vide Order No. 51, dated the 12th August 2004. On the 24th September 2004 on the prayer of the workman to file affidavit evidence in the case, the case was adjourned. Since thereafter the workman neither appeared nor tendered any evidence to substantiate his case. From the aforesaid conduct of the workman, it is reasonable to infer that he is no more interested in the “lis”. Further, in absence of any evidence, it is difficult to answer the reference in any manner. In the circumstance, therefore, a ‘No Dispute Award’ is passed in so far as the present reference is concerned.

Dictated and corrected by me.

Sk. JAN HOSSAIN

23-2-2006

Presiding Officer

Industrial Tribunal, Bhubaneswar

Sk. JAN HOSSAIN

23-2-2006

Presiding Officer

Industrial Tribunal, Bhubaneswar

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By order of the Governor

N. C. RAY

Under-Secretary to Government