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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 13th July 2009

No.6228—li/1(J)-1/2008-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 2nd February 2009 in I. D. Case No. 5 of 2008 of the Presiding Officer, Labour Court, Jeypore to whom the Industrial Dispute between the Management of M/s Lads Size Agriculture Multipurpose Co-operative Society Ltd., Gunupur Dist. Rayagada and its Workman Shri Trinath Panda was referred to for adjudication is hereby published as in the Schedule below :

SCHEDULE

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

INDUSTRIAL DISPUTE CASE No.5 OF 2008

Dated the 2nd February 2009

Present :

Shri P. K. Jena, o. s. J. s. (Jr.Branch),
Presiding Officer, Labour Court, Jeypore,
Dist.Koraput.

Between :

The Management of M/s Ladas Size .. First Party—Management
Agriculture Multipurpose Co-operative
Society Ltd., Gunupur, At/P. O. Gunupur,
Dist. Rayagada.

Versus

Its Workman .. Second Party—Workman
Shri Trinath Panda, Old Gunupur
At/P. O. Gunupur, Dist. Rayagada.

Under Section: 10 & 12 of the Industrial Disputes Act, 1947

Appearances :

For the management.	..	None
For the workman	..	Self
Date of argument	..	27-1-2009
Date of award	..	2-2-2009

AWARD

This is a reference made by the State Government under Section 12 (5), read with Section 10 (1) of the Industrial Dispute Act, 1947 vide Memo No. 4562 (5), L. E., dated the 16th April 2008 for adjudication of the following dispute:—

SCHEDULE

“whether the action of the management of M/s Gunupur LAMPS Ltd., Gunupur, Dist. Rayagada in dismissing Shri Trinath Panda from service w. e. f. 5-7-2006 is legal and /or justified ? It not, to what relief Shri Panda is entitled ?”

2. The second party workman in order to prove his case has filed an affidavit stating he has been engaged as a Branch in-charge under the first party management since 1987 and worked continuously up to 4-7-2006 without any break or interruption. But the management illegally dismissing his service on dt. 5-7-2006 without any reason and without giving him and benefits. The workman raised the dispute which has been subsequently referred to this court for adjudication.

3. In spite of valid notices the management did not appear nor contested the case and as such, he is set *ex parte*. The workman as already stated above supports his case by filing an affidavit and there is no reason to disbelieve it. Therefore, the only conclusion is, the workman has been illegally dismissing by the management and he is entitled to the relief as claimed.

ORDER

4. The action of the management of M/s Gunupur LAMPS Ltd., Gunupur, Dist. Rayagada in dismissing the service of Shri Trinath Panda Branch-in-charge with effect from 5-7-2006 is illegal and unjustified and he is entitled to get full back wages and reinstatement immediately.

Dictated and corrected by me.

P. K. JENA
2-2-2009
Presiding Officer
Labour Court, Jeypore

P. K. JENA
2-2-2009
Presiding Officer
Labour Court, Jeypore

By order of the Governor
K. C. BASKE
Under-Secretary to Government