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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 9th February 2009

No. 1253—li/1(B)-110/1995(Pt.)-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 16th December 2008 in I. D. Case No. 121 of 2008 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the Industrial Dispute between the Management of District Transport Manager, O.S.R.T.C., Cuttack and its workman Shri Bihari Gochhi was referred to for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE INDUSTRIAL TRIBUNAL, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 121 OF 2008

Dated the 16th December 2008

Present :

Shri P. C. Mishra, o.s.j.s. (Sr. Branch),
Presiding Officer, Industrial Tribunal,
Bhubaneswar.

Between :

The District Transport Manager (A), . . . First Party—Management
Orissa State Road Transport Corporation Ltd.,
Badambadi, Cuttack.

And

Shri Bihari Gochhi, Conductor, . . . Second Party—Workman
At Ramachandrapur,
P.O. Ragadi, Banki
Cuttack.

Appearances :

None . . . For both the Parties

AWARD

Originally, the Government of Orissa in the Labour & Employment Department had referred the following dispute for adjudication by the Presiding Officer, Labour Court, Bhubaneswar vide its Order No. 2112—li/1(B)-110/1995-LE., dated the 22nd February 1996 but subsequently it transferred the dispute to be adjudicated by the Presiding Officer, Industrial Tribunal, Bhubaneswar vide its Order No. 4138—li/21-32/2007-LE., dated the 4th April 2008.

“Whether the termination of services of Shri Bihari Gochhi, Conductor with effect from the 30th August 1993 by the District Transpost Manager (A), O.S.R.T.C., Cuttack is legal and/or justified ? If not, what relief he is entitled to ? ”

2. In this case, after filling of pleadings by both the parties, issues have been settled. In the hearing of the dispute as the management did not participate it was set *ex parte* vide order, dated the 7th October 2004 and thereafter the case was posted for *ex parte* hearing. In the *ex parte* hearing though sufficient opportunities were provided to the workman yet he did not avail the same and remained absent since 29th January 2005. From the conduct of the workman therefore, there is reason to presume that either he is not interested in the “Lis” or the dispute between the parties has in the meantime been settled out of the Court. In the circumstance, therefore a no dispute Award is passed in so far as the present reference is concerned.

Dictated and corrected by me

P. C. MISHRA
16-12-2009
Presiding Officer
Industrial Tribunal,
Bhubaneswar

P. C. MISHRA
16-12-2009
Presiding Officer
Industrial Tribunal,
Bhubaneswar

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