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## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

The 21st February 2009

No. 1832—li/1(B)-162/1999(Pt.)-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 3rd February 2009 in Industrial Dispute Case No. 202 of 2008 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial dispute between the Management of the Executive Engineer, Puri (R. & B.) Division, Puri and their workman Shri Srikanta Das was referred to for adjudication is hereby published as in the Schedule below :

### SCHEDULE

IN THE INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 202 OF 2008

Dated the 3rd February 2009

*Present :*

Shri P. C. Mishra, O.S.J.S. (Sr. Branch),  
Presiding Officer, Industrial Tribunal,  
Bhubaneswar.

*Between :*

The Executive Engineer, .. First Party—Management  
P.W.D. (R. & B.) Division, Puri,  
Dist. Puri.

And

Shri Srikanta Das, .. Second Party—Workman  
S/o Sauri Ch. Das,  
At Patra Sahi, P.O. Bajpur,  
Dist. Khurda.

*Appearances :*

For both the Parties

.. None

### 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. 2416—li/1(B)-162/1999-L.E., dated the 15th February 2000, 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-L.E., dated the 4th April 2008 :

“Whether the action of the Executive Engineer, P.W.D. (R. & B.) Division, Puri by terminating the services of Shri Srikanta Das, C.L.R. with effect from the 28th February 1998 is legal and/or justified ? If not, what relief Shri Das is entitled to ?”

2. In this case the second party workman has filed his claim statement. The management despite notice did not file its written statement and was set *ex parte* vide order dated the 9th May 2001. The second party workman was thereafter noticed for *ex parte* hearing, and in spite of notice he did not appear. From the conduct of the workman it can safely be presumed that he is no more interested to pursue the litigation. In absence of any evidence it is not possible to answer the reference in any manner. Hence, a No Dispute Award is passed in so far as the present reference is concerned.

Dictated and corrected by me.

P. C. MISHRA  
3-2-2009  
Presiding Officer  
Industrial Tribunal, Bhubaneswar

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3-2-2009  
Presiding Officer  
Industrial Tribunal, Bhubaneswar

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By order of the Governor

K. C. BASKE

Under-Secretary to Government