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## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

The 21st February 2009

No. 1786-1i/1-(B)-66/2000(Pt.)/LE.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the award, dated the 6th February, 2009 in I.D. Case No. 217 of 2008 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the Industrial Dispute between the Management of M/s. Hotel Prachi, 6, Janapath, Bhubaneswar and their workman represented through the General Secretary, Hotel Prachi Welfare Association was referred to for adjudication is hereby published as in the Schedule below :—

### SCHEDULE

IN THE INDUSTRIAL TRIBUNAL : BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 217 OF 2008

Dated the 6th February 2009.

*Present:*

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

*Between:*

The Managing Director,  
M/s. Hotel Prachi,  
6, Janapath,  
Bhubaneswar.

... First-Party — Management.

(And)

The General Secretary,  
Hotel Prachi Welfare Association.  
6, Janapath, Bhubaneswar,  
Orissa.

... Second-Party — Workman.

*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.9132-li/1(B)-66/2000/LE., dated the 6th July 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/LE., dated the 4th April 2008.

“Whether the action of the Management of M/s. Hotel Prachi, Bhubaneswar, in terminating the services of Shri Suresh Kumar Jena, Security Guard, by way of dismissal, w.e.f. 27th May 1999 is legal and/or justified ? If not, to what relief Shri Jena is entitled ?”

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 25th April 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,O.S.J.S. (Sr.Branch)  
06-02-2009  
Presiding Officer,  
Industrial Tribunal,  
Bhubaneswar.

P.C.Mishra,O.S.J.S.(Sr.Branch)  
06-02-2009  
Presiding Officer,  
Industrial Tribunal,  
Bhubaneswar.

By order of the Governor

K. C. BASKE

Under-Secretary to Government