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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 25th February 2009

No.1965-li-1(B)-42/2000(Pt.)/LE.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award dated the 9th February, 2009 in Industrial Dispute Case No. 208/2008 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial dispute between the Management of Executive Engineer, Nimapara Irrigation Division and their workman Shri Shyam Sundar Jena was referred to for adjudication is hereby published as in the scheduled below:—

SCHEDULE

IN THE INDUSTRIAL TRIBUNAL : BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 208 OF 2008

The 9th February 2009

Present: Shri P.C. Mishra, O.S.J.S. (Sr. Branch)

Presiding Officer,
Industrial Tribunal,
Bhubaneswar.

Between: Executive Engineer,
Nimapara Irrigation Division,
Nimapara

.. First—Party Management

And

Shri Shyam Sundar Jena,
S/o- Late Bholi Jena,
At- Paikpada,
Post- Mahapuram,
P.S./Dist- Puri

.. 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.5269-li/1-(B)-42/2000/LE., dated the 18th April 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 termination of service of Shri Shyam Sundar Jena, DLR-Unskilled Labour with effect from the 2nd September 1997 by way of refusal of employment by the Executive Engineer, Nimapara Irrigation Division, Nimapara is legal and/or justified ? If not, what relief Shri Jena 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 8th February 2001. The Second Party Workman was thereafter noticed for *ex parte* hearing, and inspite 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)

Dt. 09-02-2009

Presiding Officer,
Industrial Tribunal,
Bhubaneswar

P. C. Mishra, O.S.J.S. (Sr. Branch)

Dt. 09-02-2009

Presiding Officer,
Industrial Tribunal,
Bhubaneswar

By order of the Governor

K.C. BASKE

Under-Secretary to Government