

The Orissa Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 544 CUTTACK, FRIDAY, APRIL 17, 2009/CHAITRA 27, 1931

LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 26th March 2009

No. 3225—li/1(B)-23/2001 (Pt.)-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 24th February 2009 in Industrial Dispute Case No. 262/2008 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial dispute between the Management of the Managing Director, M/s. Bhawaniwala Jute Fibres Pvt. Ltd., Nachhpur, Cuttack and his workman Shri Pratap Patra was referred to for adjudication is hereby published as in the Schedule below :—

SCHEDULE

IN THE INDUSTRIAL TRIBUNAL, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 262 OF 2008

Dated the 24th February 2009

Present :

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

Between :

The Managing Director, .. First Party —Management
M/s. Bhawaniwala Jute Fibres Pvt. Ltd.,
At. Nachhpur, P. O. Bhatapatra,
Dist. Cuttack.

And

Shri Pratap Patra, .. Second Party—Workman
Vill. Gada Beguniapada, P.O. Ghoradia,
Via. Delang, Dist. Puri.

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. 15083-li/1 (B)-23/2001-LE., dated the 22nd October 2001 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 Pratap Patra, Spinner by the management of M/s. Bhawaniwala Jute Fibres Pvt. Ltd., is legal and/or justified ?
If not, what relief Shri Patra 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 17th January 2004. 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
24-2-2009
Presiding Officer
Industrial Tribunal, Bhubaneswar

P. C. MISHRA
24-2-2009
Presiding Officer
Industrial Tribunal, Bhubaneswar

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