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**LABOUR & EMPLOYMENT DEPARTMENT**  
**NOTIFICATION**

The 24th February 2010

No. 1628—li/1 - 229/2009(Pt.) - L.E.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 21st December 2009 in Industrial Dispute Case No. 32 of 2008 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial dispute between the Management of M/s Prachi Vanijya Pvt. Ltd., Industrial Estate, Khapurja, Cuttack and their Workmen represented through the President, Industrial Estate Employees Union, Canal Road, Cuttack was referred for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 32 OF 2008

Dated the 21st December 2009

*Present :*

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

*Between :*

The Director, .. First Party—Management  
M/s Prachi Vanijya Pvt. Ltd.,  
Industrial Estate, Khapurja,  
Cuttack.

*And*

The President, .. Second Party—Workman  
Industrial Estate Employees Union,  
Canal Road,  
Cuttack-753003.

*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. 5937—li/1-229/1989-L.E., dated the 25th April 1991, 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.

“In the context of sale and transfer of M/s Prachi Vanijya Private Ltd. , Madhupatna, Cuttack with effect from the 7th January 1987, whether the lay-off of S /Shri Prafulla Kumar Naik, Judhistir Pradhan, Bhagaban Biswal, Prabir Kumar Samantaray and Golak Chandra Rout and continuance of lay-off by the management of the said establishment is legal and/or justified ? If not, to what relief are the said workmen entitled ?”

2. This case was posted to the 8th December 2009 for *ex parte* hearing. On that date the workmen neither appeared nor took any steps.

The record reveals that the parties to the dispute have already filed their respective pleadings and accordingly issues have been framed since the 15th November 2000. Thereafter when the case was posted for hearing, the management did not participate for which it was set *ex parte* vide Order No. 49, dated the 30th May 2001 and since then the case is lingering awaiting *ex parte* evidence from the side of the workmen. The non-appearance of the workmen on the 8th December 2009 leads this Tribunal to presume that either the workmen have lost interest in the “lis” or the same has been settled in the meantime. In absence of any evidence on record it is not possible to answer the reference in either way. Hence, a ‘ No Dispute Award’ is passed in so far as the present reference is concerned.

Dictated and corrected by me.

P. C. MISHRA  
21-12-2009

Presiding Officer, Industrial Tribunal  
Bhubaneswar

P. C. MISHRA  
21-12-2009

Presiding Officer, Industrial Tribunal  
Bhubaneswar

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By order of the Governor

K. C. BASKE

Under-Secretary to Government