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LABOUR & EMPLOYMENT DEPARTMENT
NOTIFICATION

The 3rd March 2010

No. 1744—li/ 1(B) - 85/1993 - L.E.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 30th November 2009 in Industrial Dispute Case No. 65 of 2008 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial dispute between the Management of M/s. Nilachal Cold Storage Pvt. Ltd., Jagatpur, Cuttack and its Workmen Shri Makar Behera and Shri Bharat Ch. Jatta represented through Jagatpur Industrial Workers Union, Jagatpur was referred for adjudication is hereby published as in the Schedule below :

SCHEDULE
IN THE INDUSTRIAL TRIBUNAL, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No.65 OF 2008

Dated the 30th November 2009

Present :

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

Between :

The Managing Director,
M/s. Nilachal Cold Storage Pvt. Ltd.,
Jagatpur, Cuttack .. First Party—Management

And

Shri Surendranath Biswal,
General Secretary,
Jagatpur Industrial Workers Union,
IDCO Chhak, Jagatpur
Cuttack. .. Second Party—Workman

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. 2424—li-1(B)-85/1993-L.E., dated the 16th February 1995, 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 management of M/s. Nilachal Cold Storage Pvt. Ltd., Jagatpur in terminating the services of Shri Makar Behera and Shri Bharat Ch. Jatta with effect from the 8th May 1991 is legal and/or justified ? If not, to what relief Shri Behera and Shri Jatta are 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. On the date of hearing the management did not appear and consequently it was set *ex parte* vide order, dated the 15th November 2000. The second party workman remained content thereafter by filing petitions for adjournment and ultimately took no step on the 22nd October 2009. The conduct of the workman leads this Tribunal to presume that he is no more interested to pursue the proceeding. 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
30-11-2009
Presiding Officer
Industrial Tribunal
Bhubaneswar.

P. C. MISHRA
30-11-2009
Presiding Officer
Industrial Tribunal
Bhubaneswar.

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