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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 25th November 2011

No. 10607—li/1(B)-58/1989 (Pt.)-LE.—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. 231 of 2008 of the Presiding Officer, Industrial Tribunal, Bhubaneswar to whom the industrial dispute between the Management of Executive Engineer, Bhubaneswar Electrical Division (CESCO), Bhubaneswar and its workman Shri Amitabh Mangaraj Mohapatra was referred to for adjudication is hereby published as in the Schedule below :

SCHEDULE

INDUSTRIAL TRIBUNAL, BHUBANESWAR

INDUSTRIAL DISPUTE CASE No. 231 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 Executive Engineer, . . . First Party—Management  
Bhubaneswar Electrical Division (CESCO),  
Bhubaneswar.

And

Shri Amitabh Mangaraj Mohapatra, . . . Second Party—Workman  
S/o Harish Ch. Mangaraj Mohapatra,  
At/ P.O. Tangi, Dist. Khurda.

*Appearances :*

For the both Parties . . . None

## AWARD

Originally, the Government of Odisha in the Labour & Employment Department had referred the following dispute for adjudication by the Presiding Officer, Labour Court, Bhubaneswar vide its Order No. 10504—li/1(B)-58/1989-LE., dated the 2nd August 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 Amitabh Mangaraj Mohapatra, N.M.R. Helper by way of refusal of employment by the Executive Engineer, Bhubaneswar Electrical Division, Bhubaneswar, CESCO with effect from the 1st August 1992 is legal and/or justified ? If not, what relief the workman is entitled to ?”

2. In this case both the parties have filed their respective claim statement and written statement. At the stage of hearing since the management remained absent, it was set *ex parte* vide Order No. 42, dated the 2nd April 2009 and thereafter the case was posted for *ex parte* hearing. The workman despite several opportunities also neither appeared nor took any step in the matter. The aforesaid conduct of the workman leads this Tribunal to draw an inference that the claimant is no more interested in the proceeding, perhaps for the reason that the dispute is no more and it has been settled in the meantime. In the circumstance, therefore, a no dispute Award is passed in so far as the present reference is concerned, which is lingering since 2000.

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  
T. K. PANDA  
Under-Secretary to Government