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**LABOUR & E. S. I. DEPARTMENT
NOTIFICATION**

The 12th February 2013

No. 1348—li/1(J)-8/2009-LESI.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 21st December 2012 in I. D. Case No. 3/2011 of the Presiding Officer, Labour Court, Jeypore, Dist. Koraput to whom the industrial dispute between the Management of M/s. LEPRAs India Society, Koralep, Koraput, and their Workman Shri Dasa Nayak was referred to for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE LABOUR COURT, JEYPORE, KORAPUT

INDUSTRIAL DISPUTE CASE No. 3/2011

Dated the 21st December 2012

Present :

Shri D. C. Mishra, o. s. J. s. (Jr. Branch),
Presiding Officer, Labour Court, Jeypore,
Dist. Koraput.

Between :

The Project Officer, .. First Party—Management No. I
M/s LEPRAs India Society,
Koraput, P. B.-27, Dongaguda,
Jeypore, Koraput,
Dist. Koraput.

The Regional Director, .. First Party—Management No. II
M/s LEPRAs India Society 631
Saheed Nagar, Bhubaneswar,
At/P. O. Bhubaneswar,
Dist. Khurda.

Versus

Its Workman, Shri Dasa Nayak, .. Second Party—Workman
At Ashok Nagar,
At/P. O./Dist. Koraput.

Under Sections :—10 & 12 of the Industrial Disputes Act, 1947

Appearances :

For the Managements	..	None
For the Workman	..	None
Date of Award	..	21-12-2012

AWARD

The matter arises out of a reference made by the State Government in their Labour & Employment Department, Odisha, Bhubaneswar under Section 12 (5), read with Section 10 (1) of the Industrial Disputes Act, 1947 vide their Memo. No. 4032 (6)-L.E., dated the 26th April 2011 for adjudication of the following dispute :—

SCHEDULE

"Whether the termination of services of Shri Dasa Nayak by way of refusal of employment by the Management of M/s LEPRA India Society, Koraput with effect from the 5th July 2007 is legal and/or justified ? If not, to what relief Shri Dasa Nayak is entitled ?".

2. The workman is absent on repeated calls and no steps taken on his behalf. Claim statement not filed till today. This is a case of the year 2011. Perused the case record.

The case was registered on the 9th May 2011 and thereafter five adjournments were made till the 4th November 2011 awaiting filing of claim statement by the workman, but neither the workman appeared nor filed claim statement. So notice was sent to him vide this office Letter No. 554, dated the 5th December 2011 to file claim statement and the workman appeared on the 29th December 2011 and filed a time petition to file claim statement. Thereafter five adjournments were made but the workman never turned up nor filed claim statement. Therefore, registered notice with A/D vide this office L. No. 606, dated the 7th December 2012 was sent to the workman to file the claim statement, but the said registered notice has been returned by the postal authority with endorsement "Refused". So the service is also held to be sufficient on the workman. This case is lingering unnecessarily due to non-appearance and non-filing of claim statement by the workman. Thus, it is clear that, the workman is not interested to proceed with the case. Hence, there exists "No Dispute" between the parties and "No Dispute Award" is passed accordingly.

Dictated and corrected by me.

D. C. MISHRA
21-12-2012
Presiding Officer
Labour Court, Jeypore

D. C. MISHRA
21-12-2012
Presiding Officer
Labour Court, Jeypore

By order of the Governor
J. DALANAYAK
Under-Secretary to Government