

The Odisha Gazette

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

No. 402 CUTTACK, TUESDAY, MARCH 12, 2013/FALGUNA 21, 1934

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

The 21st February 2013

No. 1724—IR(ID)-130/2010-LESI.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 27th December 2012 in I. D. Case No. 12/2010 of the Presiding Officer, Labour Court, Jeypore, Dist. Koraput to whom the industrial dispute between the Management of Managing Director, M/s. Chakapada LAMPCS Ltd., At/P. O. Chakapada, Dist. Kandhamal and their Workman Shri Kartik Bindhani, ex-Peon was referred to for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE LABOUR COURT, JEYPORE, KORAPUT

INDUSTRIAL DISPUTE CASE No. 12/2010

Dated the 27th December 2012

Present :

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

Between :

The Managing Director, . . . First Party—Management
M/s Chakapada LAMPCS Ltd.,
At/P. O. Chakapada,
Dist. Kandhamal.

Versus

Its Workman, Shri Kartik Bindhani, . . . Second Party—Workman
S/o. Late Kanhai Bindhani,
At/P. O. Chakapada,
Dist. Kandhamal.

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

Appearances :

For the Managements	..	None
For the Workman	..	None
Date of Award	..	27-12-2012

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. 10690 (5)-L.E., dated the 20th December 2010 for adjudication of the following dispute :—

"Whether the termination of employment of Shri Kartika Bindhani ex-Peon by the Management of M/s Chakapada LAMPCS Ltd., Chakapada by why of refusal of employment with effect from the 1st May 2005 is legal and/or justified ? If not, what relief the workman is entitled to ?".

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 2010. Perused the case record.

The workman appeared before the Court on the 4th November 2011, 2nd December 2011, 27th February 2012, 1st May 2012, 28th May 2012, 13th June 2012, 29th June 2012, 31st July 2012, 3rd September 2012 and 8th October 2012 and prayed for adjournments to file its claim Statement, but thereafter neither the workman appeared nor filed claim Statement. So, for the ends of justice a notice was sent to him vide this Office Letter No. 599, dated the 3rd December 2012 to file Claim Statement fixing to today i. e. on the 27th December 2012 but the workman never turned up nor filed Claim Statement. None appeared for the workman on the 30th October 2012, 19th November 2012 and 1st December 2012 and no steps taken to file its Claim Statement. Since the workman was very much aware about the date but non appeared for him nor filed any statement of claim as yet, 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 any more. Hence, there exists "No Dispute" between the parties and "No Dispute Award" is passed accordingly.

Dictated and corrected by me.

D. C. MISHRA
27-12-2012
Presiding Officer
Labour Court, Jeypore

D. C. MISHRA
27-12-2012
Presiding Officer
Labour Court, Jeypore

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