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**LABOUR & EMPLOYEES STATE INSURANCE DEPARTMENT**

NOTIFICATION

The 31st January 2014

No. 785—IR(ID)-29/2013-LESI.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 11th December 2013 in Industrial Dispute Case No. 36 of 2013 of the Presiding Officer, Labour Court, Sambalpur, to whom the industrial dispute between the Management of M/s Prudent Transport Co. Pvt. Ltd., Thelkoli, Lapanga, Dist Sambalpur and their Workman Shri Mithilesh Kumar Singh, Helper was referred to for adjudication is hereby published as in the Schedule below :

SCHEDULE

IN THE COURT OF THE PRESIDING OFFICER, LABOUR COURT, SAMBALPUR

INDUSTRIAL DISPUTE CASE No. 36 OF 2013

Dated the 11th December 2013

*Present :*

Shri Srikanta Mishra, LL.M.,  
Presiding Officer,  
Labour Court,  
Sambalpur.

*Between :*

The Management of . . . First Party—Management  
M/s Prudent Transport Co. Pvt. Ltd.,  
C/o M/s Bhusan Steel & Power Ltd.,  
At/P.O. Thelkoli, Lapanga,  
Dist. Sambalpur.

And

Their Workman . . . Second Party—Workman  
Shri Mithilesh Kumar Singh,  
S/o Shri Padman Singh,  
At/P.O. Industrial Estate, Jharsuguda,  
Dist. Jharsuguda.

*Appearances :*

None	. . For the First Party—Management
None	. . For the Second Party—Workman

**AWARD**

1. This award arises out of a reference made by the Government of Odisha, Labour & E.S.I. Department under the power conferred by sub-section (5) of Section 12, read with Clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) (for short the "Act") vide Order under Memo. No. 9864(4), dated the 26th July 2013. The dispute involved under the Schedule of reference is as follows :

"Whether the action of the management of M/s Prudent Transport Co. Pvt. Ltd., Thelkoli, Lapanga, Dist. Sambalpur in dismissing Shri Mithilesh Kumar Singh, Helper from service with effect from the 15th July 2011 is legal and/or justified ? If not, what relief Shri Singh is entitled to ?"

2. The second party workman, claiming to have been illegally retrenched from service as Helper under the first party, raised an industrial dispute before the District Labour Officer, Sambalpur. The said official took views of both parties for conciliation and ultimately submitted a failure report under Section 12(4) of the I. D. Act, for which the reference was made to this Court by the Government.

3. The workman did not file statement of claim and documents as directed by the Government in the Notification of reference. He, however, filed petitions before this Court, seeking adjournment on several dates but did not file his statement of claim. Despite several opportunities given, the workman did not file statement of claim and therefore, it is felt that he is not interested to prosecute his claim.

4. In the absence of statement of claim and evidence from the side of the workman, I am inclined to pass a No Dispute Award in so far as the reference is concerned.

Dictated and corrected by me.

SRIKANTA MISHRA  
11-12-2013  
Presiding Officer  
Labour Court, Sambalpur.

SRIKANTA MISHRA  
11-12-2013  
Presiding Officer  
Labour Court, Sambalpur.

By order of the Governor  
N. BEHERA  
Under-Secretary to Government