

ORDER SHEET

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL – Cum – LABOUR COURT,
JABALPUR (M.P.)

Date of Order of Proceeding	Order Or Proceeding with Signature of Presiding Officer	Remark
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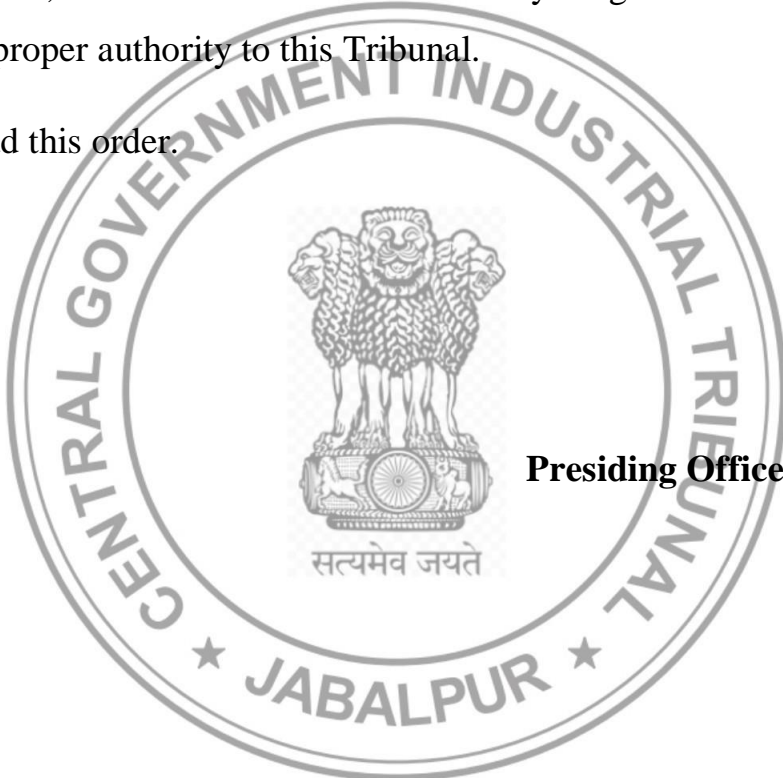
Case No. CGIT/LC/M/08/2024

The General Manager, SECR V/s Akhil Bhartiya Karamchari Mahasangh

14.02.2025	<p>None Present. Perused Record.</p> <p>The Workman was terminated on 27.05.2016. Industrial Dispute was raised on 09.02.2022, certificate regarding failure of conciliation was issued on 06.07.2022. Petition has been filed on 12.08.2024.</p> <p>Section 10 (2) (A) (2&3) of Industrial Disputes Amendment Act, 2010 is being reproduced as follows:</p> <p><i>Section 2A of the principal Act shall be numbered as sub-section (1) thereof and after sub-section (1) as so numbered, the following sub-sections shall be inserted, namely:-</i></p> <p><i>“(2) Notwithstanding anything contained in section 10, any such workman as is specified in sub-section (1) may, make an application direct to the Labour Court or Tribunal for adjudication of the dispute referred to therein after the expiry of three months from the date he has made the application to the Conciliation Officer of the appropriate Government for conciliation of the dispute, and in receipt of such application the Labour Court or Tribunal shall have powers and jurisdiction to adjudicate upon the dispute, as if it were a dispute referred to it by the appropriate Government in accordance with the provisions of this Act and all the provisions of this Act shall apply in relation to such adjudication as they apply in relation to an industrial dispute referred to it by the appropriate Government.</i></p> <p><i>(3) The application referred to in sub-section (2) shall be</i></p>	
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	<p><i>made to the Labour Court or Tribunal before the expiry of three years from the date of discharge, dismissal, retrenchment or otherwise termination of service as specified in sub-section (1).”</i></p> <p>Hence, since the dispute has been not raised within 3 years of date of termination, the petition is not maintainable as such.</p> <p>Hence, the petition stands disposed accordingly.</p> <p>However, the Workman side is at liberty to get a reference from proper authority to this Tribunal.</p> <p>Upload this order.</p> <div><div>Presiding Officer</div></div>	