

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,  
ASANSOL.**

**PRESENT:** Shri Ananda Kumar Mukherjee,  
Presiding Officer,  
C.G.I.T-cum-L.C., Asansol.

**REFERENCE CASE NO. 02 OF 2003**

**PARTIES:** Dinesh Yadav  
**Vs.**  
Management of Bahula Colliery of ECL

**REPRESENTATIVES:**

For the Union/Workman: Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.  
For the Management of ECL: Mr. P. K. Goswami, Advocate.

**INDUSTRY:** Coal.

**STATE:** West Bengal.

**Dated:** 13.11.2024.

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**A W A R D**

In exercise of powers conferred under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Government of India through the Ministry of Labour, vide its Order **No. L-22012/142/2002-IR(CM-II)** dated 13.02.2003 has been pleased to refer the following dispute between the employer, that is the Management of Bahula Colliery under Kenda Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

**THE SCHEDULE**

*“ Whether the demand of the Koyala Mazdoor Congress from the management of Bahula Colliery under Kenda Area of M/s Eastern Coalfields Limited for regularisation of Sh. Dinesh Yadav, Fitter Cat IV as Mech(MM) Excav. Gr. D with retrospective effect is legal and justified? If so, to what relief is the workman entitled and from what date? ”*

1. On receiving Order **No. L-22012/142/2002-IR(CM-II)** dated 13.02.2003 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 02 of 2003** was registered on 11.03.2003 and an order was passed for issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. For ends of justice the case is fixed up today for evidence of management witness and hearing of argument. Mr. P. K. Goswami, learned advocate for Eastern Coalfields Limited and Mr. Rakesh Kumar, union representative are present. It is submitted by Mr. Rakesh Kumar that Dinesh Yadav, aggrieved workman has expired and the union is not inclined to proceed further with this case. An application is filed by Mr. R. Kumar on behalf of Koyala Mazdoor Congress praying for dismissing the case. Copy served.

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3. After registration of the case Notice were issued to the parties concerned. Both parties appeared and filed their written statements. Concerned workman had filed his affidavit-in-chief and faced cross-examination on 08.12.2015. No document has been admitted in evidence. Management produced Mr. Rakesh Kumar Basant as their witness and filed his affidavit on 30.07.2024.

4. Since workman seeking relief has passed away during pendency of this case, no purpose would be served by proceeding with this case any further. In view of application filed today, the Industrial Dispute is disposed of for non-prosecution. Let a No Dispute Award be drawn up.

Hence,

**ORDERED**

that a No Dispute Award be drawn up in the above Reference case. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

Sd/-  
**(ANANDA KUMAR MUKHERJEE)**  
Presiding Officer,  
C.G.I.T.-cum-L.C., Asansol.