

**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. 36 OF 2006

PARTIES: Sudhir Majhi (Kisku)
(represented by the dependant wife)
Vs.
Management of Madhusudanpur Colliery of ECL

REPRESENTATIVES:

For the Union/Workman: Mrs. Puspita Roy, Advocate.

For the Management of ECL: Mr. P. K. Das, Advocate.

INDUSTRY: Coal

STATE: West Bengal.

Dated: 25.10.2024

(Contd. Page – 2)

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-22012/213/2005-IR(CM-II)** dated 01.08.2006 has been pleased to refer the following dispute between the employer, that is the Management of Madhusudanpur Colliery under Kajora Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the action of the management of Madhusudanpur Colliery under Kajora Area of M/s. Eastern Coalfields Limited in dismissing Sh. Sudhir Majhi, U.G. Loader from service vide letter dated 2.9.2003 is legal and justified? If not, to what relief is the workman entitled? ”

1. On receiving Order **No. L-22012/213/2005-IR(CM-II)** dated 01.08.2006 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 36 of 2006** was registered on 14.08.2006 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. Mr. P. K. Das, learned advocate for the management of Madhusudanpur Colliery of Eastern Coalfields Limited is present. The case is fixed up today for hearing of argument.

3. After eighteen years on the date of hearing of argument, Smt. Bimali Kisku, wife of Sudhir Majhi (Kisku), Ex-Underground Loader (U.M. No. 120528) at Madhusudanpur

--: 3 :--

Colliery has filed an application before the Tribunal, stating that Sudhir Majhi has expired on 24.08.2011 and the legal heirs of the workman, for personal reasons do not want to proceed further and want to withdraw this case, pending before the Tribunal. It is prayed that a No Dispute Award may be passed. Copy served upon Mr. P. K. Das, learned advocate for the management.

4. Considered the contents of the petition. It appears from the Schedule that workman was dismissed from service on 02.09.2003. More than twenty-one years have passed and in the meantime, the dismissed workman has expired. No purpose would be served by proceeding with this case any further. Therefore, the Industrial Dispute is disposed of for non-prosecution. The management of Eastern Coalfields Limited is directed to make payment of the pending legal dues of Sudhir Majhi (Kisku) to his legal heir within one month from the date of communication of the Award. Petition filed by Bimali Kisku is disposed of. 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.