

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1**

**MUMBAI**

Present

JUSTICE RAVINDRA NATH KAKKAR  
Presiding Officer

**REFERENCE NO.CGIT-1/16 OF 2019**

**Parties:** Employers in relation to the management of  
Bharat Petroleum Corporation Limited

And

Their workmen

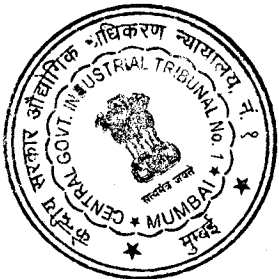
**Appearances:**

For the first party/ Management : Mr.Anand Pai, Adv.  
For the second party/ Union : Mr.Prasad S.Samant,  
Dy. Gen. Secretary  
State : Maharashtra

Mumbai, dated the 28<sup>th</sup> day of November, 2020.

**AWARD**

1. The present reference has been made by the Central Government by its order dated 10.05.2019 passed in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947. The terms of reference as per the schedule to the said order are as under:



*“Whether the action of the management of M/s Bharat Petroleum Corporation Limited (BPCL), Mumbai for obtaining ‘declaration forms’ in respect of members of Petroleum Karmachari Navnirman Union (PKNU) for the year 2018 is fair & just? If not, what relief the union is entitled to?”*

2. By the order dt.01/07/2019, passed by the Tribunal, Notice was directed to be issued to the parties.
3. On 13.8.2019, Mr.R.S.Pai, Learned counsel for the management was present but none was present on behalf of the Union. In the circumstances, the case was fixed for 25.10.2019.
4. On 23.11.2020, Mr. Prasad S. Samant, Dy.General Secretary filed an application for disposal of the reference proceedings and stated that the Union is not interested in pursuing the reference proceedings as number of workmen have been retired under VRS and no industrial dispute of any kind now exists and prayed for disposal of the reference for want of prosecution.
5. On receipt of the application, the matter was taken up today i.e. 27.11.2020 through video conferencing. Mr. Anand Pai learned counsel for the management and Mr.Prasad S.Samant, General Secretary of the Union were present.
6. Mr. Prasad S.Samant, General Secretary of the Union reiterated the same as stated in the application and Mr.Anand Pai, learned counsel for the management had ‘No Objection’.
7. In view of the above, it is apparent that there is no pleading or evidence filed on behalf of the second party / Union in support of its



claim. In the circumstances, no relief can be granted to the second party / Union.

8. The Reference made to this Tribunal is, therefore, disposed of for want of prosecution as prayed by the Union.

9. Award is passed accordingly.



सही प्रतिलिपि  
TRUE COPY

*Labani*  
Secretary to the Court  
Central Government Industrial  
Tribunal-cum-Labour Court No. 1  
Mumbai

*sd/-*  
(JUSTICE RAVINDRA NATH KAKKAR)

PRESIDING OFFICER