

ORDER SHEET
CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM LABOUR COURT,
JABALPUR(MP)

CASE NO. CGIT/LC/M-01/2022


Date of order of proceeding	Order or proceeding with signature of Presiding Officer	Signature of parties or pleaders where necessary
7-9-2022	<p>Taken up.</p> <p>Learned counsel for both the sides are present.</p> <p>Heard. Perused the records.</p> <p>It comes out from the perusal of records that reference case R/61/2015 based on reference made by the Government of India on 4-6-2005 is pending between the parties which is fixed today for cross-examination of workman. The reference in the said case is as follows:-</p> <p style="text-align: center;">“Whether the demand of Union for 4-% wage rise w.e.f. 1-4-2014 is justified? If not to what percentage of wage rise should be justified?”</p> <p>The Reference case No.2/2017 between the same parties has proceeded before this Tribunal on the basis of reference made by Central Government on 19-12-2016 which goes to show that Central Government withdrew this order dated 4-6-2015 F.No.L-29011/5/2015-IR(M) and made a fresh reference to this Tribunal for adjudication. After registering the case on the basis of this fresh reference, notices were sent to the parties. The workman Union never appeared inspite of service of notice and never contested the reference, hence it was decided and Award was passed on 26-8-2021. It also comes out from perusal of records that reference case No.6/2017 proceeded before this Tribunal on the basis of same reference dated 19-12-2016 on another copy of the reference received by this Tribunal, though the reference between case No.R/6/2017 and R/2/2017 and the parties were one and the same. The Award passed in these two files were amalgamated and Award passed in case R/2/2017. There was a detailed order in this respect passed on 26-8-2021 in the case file of R-2-2017.</p>	

Now what is the recent position is that the old reference on the basis of which case R/61/2015 is proceeding before this Tribunal has been withdrawn by Central Government vide its order dated 19-12-2016 and a fresh reference has been made to this Tribunal. In view of this fact ,proceedings in Case No.R/61-2015 need not continue and are dropped accordingly. This file is merged with the file of Case R/2/2017. Copy of this order be placed on the file of R/61/2015.

The present Misc. Case is registered to set aside the Award passed in the case of R/2/2017 copy of which has been served on learned counsel for the management today.

List on 28/3/2022 for hearing on this application.

Applicant may file affidavit in support of the grounds taken in the application within two weeks from today after giving a copy to the learned counsel for the Management who will be at liberty to file written objection if any and counter affidavit to this petition before the date fixed.


(PRESIDING OFFICER)