

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20824 of 2010

M/s. Dynamic Paper Products(P) Ltd. ***Petitioner***

Mr. Somanath Mishra, Advocate
-versus-

Lalit Ku.Patra ***Opp.Parties***
None

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAIAK**

ORDER
24.02.2022

Order No.

5. 1. Both the Management and the workman have challenged an award dated 29th July, 2009 passed by the Industrial Tribunal, Bhubaneswar (Tribunal) in I.D. Case No. 281 of 2008. The dispute referred to the Tribunal for adjudication was as under:

“Whether the termination of services of Sri Lalit Kumar Patra, Supervisor with effect from 20.4.2000 by the Managing Director, M/s. Dynamic Paper Products (P) Ltd., Jagatpur is legal and justified? If not what relief Sri Patra is entitled to get?”.

2. While the Management sought to contend that the Opposite Party who worked as a ‘supervisor’ was not a workman, it did not participate in the proceedings in the Labour Court and did not lead any evidence. The only evidence on record was that of the workman. Consequently, it was held by the Tribunal that the

termination of his services was not legal or justified. Since the Management had already abolished the post, the Tribunal denied the workman reinstatement and only awarded him a lump sum compensation of Rs. 30,000 in lieu thereof. The workman has challenged the Award claiming the reinstatement in service.

3. Having heard learned counsel for the Management, the Court is of the view that no interference is called for with the impugned Award particularly since the Management is not participate in the proceedings before the Tribunal and lead evidence. The writ petition is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge