

19.02.2024
Item No.A40
Ct. No.17
S.A.

WPA 25363 of 2023

**Ferro Scrap Nigam Limited Employees' Union
& Anr.**

-vs-

The Union of India & Ors.

Mr. Subrata Bhattacharya
...for the petitioners

Mr. Sankar Sarkar
...for the respondent nos.1, 5 & 6

Mr. Kamal Kumar Chattopadhyay
...for the respondent nos.2, 3 & 4

The petitioners pray for recalling of the order of dismissal of the Industrial Dispute passed by the learned P.O. of Central Government of India Tribunal, Asansol dated 08.09.2023.

I have perused the order and from the order it appears that the notice was served according to the Tribunal, but as nobody appears, the matter was dismissed on first day on non-appearance. In my view, in such type of reference where the question of demand of revision of wages, dismissal on the first day on non-appearance is highly harsh and, therefore, this cannot be sustained under the law. Further chance was to be given to the Union/petitioner for placing their case for the award and, therefore, the order of dismissal in the form of a no dispute award is set aside.

The matter is returned back to the Tribunal so that the matter can be heard immediately and the matter can be concluded within a period of nine

months from the date of communication of this order to the Tribunal.

With the above order, this application is allowed.

(Abhijit Gangopadhyay, J.)