

WP(C) 618/2010
BEFORE
HON'BLE MR. JUSTICE HRISHIKESH ROY

The challenge here is to the award dated 29.2.2008 (Annexure-9), in the reference Case No.6/2006, whereby the learned Labour Court, Dibrugarh answered the industrial reference in favour of the two dismissed workmen Dina Kanta Das and Govin Saikia (respondent Nos.2 & 3) and held that the Management of the Assam Cement Pipes, Kenduguri, Jorhat was not justified in dismissing the two workmen. Thus consequential direction was issued for their reinstatement in service, with full backwages.

The award was then challenged by the Management but the Misc. Case No.1/2009 but it was dismissed by the learned Labour Court, under the judgment dated 9.12.2009 (Annexure-11).

On the Management's challenge to the decisions of the Labour Court, Rule was issued by this Court on 29.1.2010 and the impugned orders of the Labour Court was stayed, subject to compliance by the Management, of the requirement of Section 17 (b) of the Industrial Disputes Act, 1947 (hereinafter referred to as the I.D. Act). In other words, direction was issued to pay the monthly salary to the workmen.

Today when the case is called, there is none to represent the petitioners. It is also seen from the office note dated 28.3.2017 that notice has not been served on the respondent Nos.2 - 4.

In the above circumstances, this Court is left with no option but to dismiss the case for non prosecution. It is ordered accordingly. Interim order stands recalled.