

GJRJ160000632025 	Received on	:	15.01.2001		
	Registered on	:	15.01.2001		
	Decided n	:	10.07.2026		
	Duration	:	25	05	26
			Yrs.	Mths.	Days

Before the Hon'ble Member and Presiding Officer of Industrial Tribunal at Rajkot.

Ref. (I. T. C.) No.02/2025

[Old Ref. CGIT Case No.06/2001]

- First Party::

1.

The Divisional Railway Manager

Western Railway

Kothi Compound

Rajkot.
2.

The Sr.Divisional Mechanical Engineer

Western Railway

Diesel Shed Sabarmati

Ahmedabad.

V/S

Second Party::

Divisional Secretary

Paschim Railway Karamchari Parishad

E-209 Sarottamnagar

Behind New Railway Colony

Sabarmati, Ahmedabad.

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Reference under sec.10 of the I. D. Act.

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For First Party : Ld. advocate Mr. Y. C. Rajyguru.

For Second Party : No appearance.

: Award :

(1). The first party herein is the Divisional Railway Manager and the second party is the employee of the said establishment. The above first as well as second parties for the sake of brevity and deciding this industrial dispute are referred as '*the opponent*' and '*the applicant*', respectively.

(2). The present industrial dispute was forwarded for adjudication by the Ministry of Labour, Government of India to the Central Government Industrial Tribunal, Ahmedabad as the conciliation proceeding before it could not fructify, *vide* letter dtd.29.12.2000, as per its order No.L-41012/211/2000-IR(B-I) and the exact terms of reference are as under :

"Whether the action of the management of Railway of Rajkot Division in removing Shri Pratapsingh R. Parmar, Diesel Mechanic Grade-III from the service of railway on the alleged charges of unauthorized absence from duty is justified? If not what relief the concerned employee is entitled?"

(3). Now herein since the first party / opponent was the establishment under the control of Central Government, so as per sec.2(a) of the Industrial Dispute Act, the appropriate Government for it is the Central Government, so the dispute was raised before the authority under the Central Government. Therein the compromise could not fructify so it was initially referred to Industrial Tribunal, Rajkot for adjudication since the

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Central Government Industrial Tribunal, Ahemdabad was not in existence, by the Ministry of Labour under the Government of India, wherein it was registered as reference case. Then after as and when the CGIT, Ahemdabad came in to existence it was transferred to the said Tribunal, which was again transferred back to Rajkot.

(4). Further lastly as per the Order No.L-20025/01/2025-IR(CM-I) dtd.02.05.2025 and Corrigendum No.L-20025/01/2025-IR(CM-I) dtd.07.08.2025 of the Deputy Director, Ministry of Labour and Employment, Government of India and on basis of the Office Order No.ADT/1/2025/5516 dtd.29.08.2025 passed by the President, Industrial Court, Ahemdabad, the present case along with other cases were transferred to this Tribunal for adjudication since the Presiding Officer was not available at CGIT, Ahemdabad and since the disputes were pertaining to territorial jurisdiction of this Tribunal. Hence, the present case was issued new number as Ref. (I.T.C.) No.02/2025.

(5). After transfer of this case to the present Tribunal it was re-numbered and fresh notices were issued to the parties. The applicant was issued notice twice but the applicant Union or anybody on it's behalf has not remained present. The opponent has remained present through their advocate and since the applicant side has constantly remained absent so an application was submitted at Exh.28 to dispose the case since the applicant is not showing interest in this case. On perusing the case record it transpires that though the applicant Union is issued notices they

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have not remained present nor has bothered to proceed with this case which is originally of the year 2001. In this circumstance this case which is instituted in the year 2001 has remain pending without being proceeded by the applicant side. Hence, it seems that now the applicant Union is not interested with this dispute, so, following order is passed in larger interest of justice.

:: ORDER ::

- (1). The reference case is hereby rejected due to constant absence of the applicant side.
- (2). Thereby the applicant is not entitled for any relief in this case.
- (3). No order as to cost.

Date : 10.07.2026

Place: Rajkot

Parvezahemad A. Malaviya

Member,

Industrial Court, Rajkot.

Code No. GJ00837.
