

EXH. O-

**BEFORE SMT. KALYANI R. ADAKE, JUDGE
NINTH LABOUR COURT, MUMBAI.**

COMPLAINT (ULP) NO. 21 OF 2014

Samit Mandal

C/o Engineering Workers Union

Bakhtawar Building, 2nd Floor,

2-Station Rd.,

Andheri (W)

Mumbai 400 058

.... **Complainant**

Versus

(1) M/s Simplex Infrastructures Ltd.

(2) Swapan Mkumar Hazra,

Head Personnel Dept.

Both at-

502-A, Poonam Chamber,

Shivsagar Estate,

Dr. Annie Besant Road,

Worli,

Mumbai- 400 030.

.... **Respondents**

ORDER BELOW EXH U-1

(Delivered on 23/06/2017)

(1) The Complainant has filed the present complaint under Section 28 read with item 1(a),(b),(c),(d),(f) and (g) of Schedule IV

against the Respondents. Since last so many dates the Complainant remained absent in the court. On 06/02/2017 the Complainant's advocate Bhat moved an application at Exh U-6 and submitted that, they are unable to contact the Complainant and it is learned that, he has shifted to Calcutta permanently. They further prayed to dispose off the matter as not prosecuted. The Respondents' advocate submitted his say on it and thereby submit to order of court. Thereafter intimation notice was issued to the Complainant on the same day. The same was received by the Union Representative. The Respondents' advocate moved an application at Exh C-4 and thereby submitted that, since last one year the Contractor with whom the Complainant was working has already taken the Complainant in the employment. They further prayed to dismiss the matter for want of prosecution.

(2) I have gone through record. The bailiff report at Exh O-2 reflects that, the Union Representative G. M. Kahar has received the intimation notice. But he did not turn to the court. Today also Complainant is absent in the court. It seems that, he is not interested in the matter. In view of the fact, the complaint stands dismissed for want of prosecution.

Sd/-

(K. R. Adake)

Judge,

Mumbai.

Dated : 23/06/2017.

Ninth Labour Court, Mumbai.

Vvm/-