

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা

কর্তৃপক্ষ কর্তৃক প্রকাশিত

মঙ্গলবার, জুন ১, ১৯৬৯

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার  
শ্রম ও জনশক্তি মন্ত্রণালয়  
শাখা-৯  
বাংলাদেশ সচিবালয়, ঢাকা।

প্রজ্ঞাপন

তারিখ, ২রা আগষ্ট ১৯৬৮ ইং/১৮ই শ্রাবণ ১৪০৫ বাং

এস, আর, ও নং-১৬৬-আইন/শ্রম/শা-৯/৩(৪)/৯৭—Industrial Relations Ordinance, 1969 (Ord. No. XXIII of 1969) section 37 এর বিধান নোতাবেক সরকার ১ম শ্রম আদালত, চট্টগ্রাম এর নিম্নবর্ণিত মামলাসমূহের রায় ও সিদ্ধান্ত এতদ্ব্যংগে প্রকাশ করিল, যথা :—

ক্রমিক নং	মামলার নাম	মামলার নম্বর
১	২	৩
১	অভিযোগ মামলা	২০৬/৯১
২	অভিযোগ মামলা	৪৯/৯২
৩	অভিযোগ মামলা	৭০/৯২

১	২	৩
৪	অভিযোগ নামলা	৭৮/৯৩
৫	অভিযোগ নামলা	৩/৯৫
৬	কৌজদারী নামলা	১৯/৯৫
৭	কৌজদারী নামলা	১০/৯৬
৮	আই, আর, ও নামলা	১৪/৯৫
৯	আই, আর, ও নামলা	২/৯৬
১০	আই, আর, ও নামলা	৯/৯৬
১১	আই, আর, ও নামলা	১৫/৯৭
১২	অভিযোগ নামলা	৩৯/৯৬
১৩	পি, ডব্লিউ নামলা	১২/৯৬
১৪	পি, ডব্লিউ নামলা	৪৪/৯৬
১৫	পি, ডব্লিউ নামলা	৪৫/৯৬
১৬	অভিযোগ নামলা	৪০/৯৬
১৭	অভিযোগ নামলা	৪১/৯৬
১৮	অভিযোগ নামলা	৪২/৯৬
১৯	অভিযোগ নামলা	৪৩/৯৬
২০	অভিযোগ নামলা	৪৪/৯৬
২১	অভিযোগ নামলা	৪৫/৯৬
২২	অভিযোগ নামলা	৪৬/৯৬
২৩	অভিযোগ নামলা	৪৮/৯৬
২৪	অভিযোগ নামলা	৫৩/৯৬
২৫	অভিযোগ নামলা	৬৭/৯৬
২৬	অভিযোগ নামলা	৬৮/৯৬
২৭	অভিযোগ নামলা	৬৯/৯৬
২৮	অভিযোগ নামলা	৭০/৯৬
২৯	অভিযোগ নামলা	৭১/৯৬
৩০	অভিযোগ নামলা	৭৩/৯৬
৩১	অভিযোগ নামলা	৭৭/৯৬
৩২	অভিযোগ নামলা	৮২/৯৬
৩৩	অভিযোগ নামলা	১০১/৯৬

রাষ্ট্রপতির আদেশক্রমে,

মীর মো: সাখাওয়াত হোসেন

উপ-সচিব (শ্রম)।

IN THE 1ST LABOUR COURT AT CHITTAGONG

Complaint Case No. 206/91

Md. Yasin, Token No. 1315,  
D/S. Ring Section, 'B' Shift,  
Mill No. 1, Amin Textiles Ltd.,  
Sholashahar, Chittagong—1st party.

Vs.

Chief Executives,  
Amin Textiles Ltd.  
Sholashahar, Chittagong—2nd party.

Order no. 47 dt. 19-2-98

The court is duly constituted with the following :

Mr. Md. Abdur Rahman Patwari—Chairman.  
Mr. A.T.M. Nurul Alam,—Members.  
Mr. Tapan Dutta,

The 2nd party files hazira and ready for hearing. The party takes no step and is found absent on repeated calls. As per record Md. Yasin himself as 1st party instituted the case. Thereafter Mr. Armanul Haque Chowdhury Advocate, represented the 1st party. He was present in the court room and he was aware of the date of hearing. But he takes no step.

Consulted the Ld. Members. Hence it is,

**Ordered**

that the case be dismissed for default.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

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Complaint Case No. 49/92

Md. Shahabuddin, C/o. Alamgir,  
108, Chandanpura, Sirajudullah Road,  
Chittagong—1st party.

Vs.

Managing Director,  
T.S.P. Complex Ltd.,  
North Patenga, Chittagong—2nd party.

Order no. 42 dt. 12-2-98

The court is duly constituted with the following :

Mr. Md. Abdur Rahman Patwari—Chairman.

Mr. Al-haj Nasiruddin Bahadur—Members.

Mr. Faiz Ahmed.

Both parties are absent and have taken no step today. Gone through the record and the petition dated 29-04-97 filed by the 1st party. In this petition, he has stated that the dispute between the parties have been amicably settled out of court and he does not like to proceed with the case any more.

Consulted the Ld. Members.

The prayer is allowed. Hence it is,

**Ordered**

that the 1st party be permitted to withdraw the case as sought for.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

**Complaint Case No. 70/92**

Md. Zafar Alam, S/o. Md. Altaf Mia,  
Vill. Khanmohona, P.O. Degapara,  
P.S. Patia, Dist. Chittagong—1st party.

*Vs.*

Managing Director,

Anowara Jute Mills Ltd.,  
91, Agrabad C/A, Chittagong—2nd party.

Order no. 36 dt. 22-2-98

The court is duly constituted with the following :

Mr. Md. Abdur Raman Patwari—Chairman.

Mr. A.T.M. Nurul Alam,

Mr. Tapan Dutta,—Members.

The 2nd party files bazira and ready for hearing. The 1st party neither files hazira nor takes any step. The 1st party is found absent on repeated calls.

Consulted the 'Ld. Members.

As the 1st party [takes no step, it is

Ordered

that the complaint case be dismissed for default.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong ;

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Complaint Case No. 78/93

Jafar Ahmed, S/o. Hafiz Nurul Alam,  
Kazi Para, Vill. South Salimpur,  
P.O. Jafrabad, P.S. Sitakunda,  
Dist, Chittagong—1st party.

Vs.

Director,  
Eagle Star Textile Mills Ltd.  
Head Office, 154, Nur Ahmed Road,  
Chittagong—2nd party.

Order no. 35 dt. 8-2-98

The court is duly constituted with the following :

Mr. Md. Abdur Rahman Patwary—Chairman.  
Mr. Nasiruddin Bahadur,  
Mr. Faiz Ahmed—Members.

The parties are present by filing separate hazira. The petition dated 17-9-97 filed by the 1st party for withdrawal of the case is taken up for hearing.

Heard. The 1st party Jafar Ahmed instituted the case against the 2nd party M/S. Eagle Star Textile Mills Ltd., Chittagong challenging the order of dismissal and praying for restatement in service.

The 1st party has filed this petition stating that the parties have settled the dispute amicably out of court and as such he does not like to proceed with the case any more.

The Ld. Members were consulted and they expressed views that the 1st party may be permitted to withdraw the case. I also hold the similar views. Therefore, the prayer is allowed. Hence it is,

**Ordered**

that the 1st party is permitted to withdraw the case as prayed for.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

**Complaint Case No. 3/95**

Paltu Kanti Barua  
S/o. Shukhendu Bikash Barua  
Assistant Machineman (Mouldman)—1st party

*Vs.*

Managing Director  
Hakkani Paper & Board Mills (Pvt) Ltd.  
Charkhidirpur West Gomdondi P.s. Boalkhali  
Dist. Chittagong—2nd party.

Order No 39 dt. 23-2-98

The court is duly constituted with the followig :

Mr. Md. Abdur Rahman Patwari — Chairman.;  
Mr. A.T.M. Nurul Alam —Members.  
Mr. Tapan Dutta

The parties are present. The Petition dated 22-1-98 filed by the 1st party for withdrawal of the case is take up for hearing and order.

Heard. Persued the withdrawal petition dated 15-12-97 and the case record. The 1st party has stated in this petition that both the parties settled the dispute outside the court on the meditation of their well wishers and he now does not intends to proceed with the case.

Cosulted the Ld. Memers.

The prayer is allowed. Hence it is,

**Ordered**

that the 1st party be permitted to withdraw the case as sougt for.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court  
Chaittagong.

**Criminal Case No. 19/95**

Abdur Rahman,  
S/o. Habib Ullah,  
P.O. Miralipur, P.S.  
Begumgonj, Dist. Noakhali—Complainant

Vs.

Al-haj Md. Ibrahim Khalil, Managing Director  
Head office-Hotel. Shahjahan Sadarghat Road  
Chittagong. Permanent address-Mahmud Villa  
South Hali-shahar P.O. & P.S. Bandor  
Chittagong & Ors.—Accused Persons.

Order No 19 dt. 12-2-98

The court is duly constituted with the following:

Mr. Md. Abdur Rahman Patwari—Chairman.;  
Mr. Al-haj Nasiruddin Bahadur—Members.  
Mr. Faiz Ahmed

The complainant is absent and takes no step. On a glance over the record we come across that the complainant made no initial statement as required under provision of Section 200 Cr. PC at the time of instituting the case. The case is now long pending one awaiting for recording initial statement u/s 200 Cr. PC of the complainant. But we does not turn up since long. It is no use of dragging the record any more.

Consulted the Ld. Members. Hence it is,

**Ordered**

that the case be dismissed as not maintainabl

Md. Abdur Rahman Patwari  
Chairman 1st Labour Court  
Chittagong.;

**Criminal Case No. 10/96**

Abul Kashem, Driver,  
Code No. 2952, Light Transport Section,  
Chittagong Steel Mills Ltd., North Patenga,  
P.S. Bandor, Chittagong.—Complainant.

Vs.

1. Mirza Md. Rafiqul Islam, Managing Director.

2. Md. Anwar Ali, General Manager (Admin),  
Both of Chittagong Steel Mills Ltd.,  
North Patenga, P.s. Bandor, Chittagong.—Accused Persons.

Order No 20 dated. 16-2-98

Present: Mr. Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

The complainant is not present in court for recording his initial statement u/s 200 Cr. P.C.

Persued the record. It transpires that Mr. Jane Alam was the filing Advocate of this case. But the complainant did not execute any vakalatnama in favour. Mr. Jane Alam Advocate is present in the Ejlash Room. He informs that he has no instruction to take any step of this case as the complainant has not contact with him.

Hence it is,

**Ordered**

that the case be dismissed for default.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong. ;

**I.R.O. Case No.14/95**

Registrar of Trade Unions, Chittagong Division,  
Govt. of the People's Republic of Bangladesh,  
Jamboree Field, Agrabad, Chittagong.—1st party.

Ys.

President/General Secretary,  
Naim Garments Jatiatabadhi Sramik Karmachari Dal,  
Regd. No. Chatta-1798, A-Building, Room No. 30,  
Shershah Colony, P.o. Baizidbostami, Chittagong—2nd party.

Order No 16 dated. 8-2-98

The court is duly constituted with the following :

Mr. Md. Abdur Rahman Patwari,—Chairman.  
Mr. Al-haj Nasiruddin Bahadur—Members.  
Mr. Faiz Ahmed,



The 1st party files hazira and ready for hearing. The 2nd party files no hazira nor takes any step. The Ld. Advocate for the 2nd party present in court and states that he has got no instructions from his client. The case record is, accordingly taken up for exparte hearing. No oral evidence is adduced by the 1st party. The documents filed by the 1st party be kept with the record.

Heard. The case of the 1st party, Registrar of Trade Union, Chittagong Division, Chittagong is that the 2nd party was registered as a Trade Union on 03-06-1995. That the 2nd party held general meeting on 08-08-95, 18-08-95 and 27-08-95. That in said meeting it was decided to defunct the 2nd party as a Trade Union. That the 2nd party communicated their decision to the 1st party by a letter dated 27-08-95. The papers along with the aforesaid letter filed by the 1st party as per list be kept with the record.

It reveals that the 2nd party on receipt of notices from this court entered appearance and filed a written statement through -Mr. A.B. Poddar, Advocate who is present in the court room to-day. He submits that as the 2nd party does not contact with him, he will not take step.

Consulted the Ld. Members. They hold the views that the 2nd party takes no step, the 1st party may get the relief exparte as sought for. We do not differ. Hence it is,

**Ordered**

That the I.R.O. Case be allowed exparte against the Respondent without cost. The 1st party is permitted to cancel the registration of the 2nd party (Registration No. Chittagong-1798).

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

**I.R.O. Case No. 2/96.**

Registrar of Trade Unions,  
Govt. of the People's Republic of Bangladesh,  
Chittagong Division, Chittagong—1st party.

*Vs.*

President/General Secretary,  
Banani Complex Cinema Sramik Union,  
Nasiman Bhavan, 121, Nur Ahmed Sarak,  
Kazirdewri, Chittagong.—2nd party.

Order No. 14 dated. 22-2-98

The court is duly constituted with the following :

Mr. Md. Abdur Rahman Patwari—Chairman.;  
Mr. A.T.M. Nurul Alam—Members.  
Mr. Tapan Dutta,;

The 1st party files hazira and ready for hearing. The case is taken up for exparte hearing. No oral evidence is adduced by the 1st party. The documents filed by the 1st party are marked as Exhibits. 1—10.

Heard. Persued the case petition and the record. The representative on behalf of 1st party, Registrar of Trade Union, Chittagong submits that Banani Complex Cinema Sramik Union, 121, Noor Ahmed Sarak, Kazir Dewri, Chittagong was registered as a Trade Union on 02-04-95. At that time, the number of members of the union were 26 out of total 36 workers. That meanwhile 19 members gave up their membership and at present, the number of members are 7 which is less than 30 per cent of the over all strength. The 1st party, therefore, instituted the case for permission to cancel the registration of the said trade union. Gone through the papers marked as Exhibits 1—10. Consulted the Ld. Members.

The case is proved. Hence it is

#### Ordered

that the 1st party, Registrar of Trade Union, Chittagong is permitted to cancel the registration (Registration no. Chittagong-1787) of 2nd party, Banani Complex Cinema Sramik Union, 121, Noor Ahmed Sarak, Kazir Dewri, Chittagong.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong. ;

#### I.R.O. Case No. 9/95

Bina Das, S/o Himanshi Bimal Das,  
President, Arrow Fashion Garments Sramik Karmachari Union,  
Regd. No. Chatta-1110, CBA, 82/83, Sadarghat Road,  
P.S. Kotwali, Dist. Chittagong—1st party.

#### *Versus.*

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque,  
Managing Director, Arrow Fashion Pvt. Ltd.,  
828/3, Sadarghat Road, P.S. Kotwali, Chittagong.  
Head Office. Jiban Bima Bhavan, Jubilee Road,  
P.S. Kotwali, Dist. Chittagong—2nd party.

Order no. 25 dated. 8-2-98

The court is duly consitituted with the following :

Mr. Md. Abdr Rahman Patwari—Chairman,  
Mr. Al-haj Nasiruddin Bahadur,  
Mr. Faiz Ahmed—Members.

The 1st party files hazira. The petition dated 7-12-97 filed by the 1st party for withdrawal of the case is taken up for hearing.

Head. The Ld. Advocate on behalf of 1st party submits that both the parties amicably settled the dispute out of court. That now the 1st party is not inclined to proceed with the case any longer. The Ld. Advocate filed a petition on 7-12-97 in support of his contention. On consultation the Ld. Members expressed the opinion that as the 1st party is not ready to continue with the case any more he may be accorded permission as sought for.

The prayer is allowed. Hence it is

**Ordered**

that the 1st party is permitted to withdraw the case

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

**IN THE 1ST LABOUR COURT AT CHITTAGONG.**

**I.R.O. Case No. 15/97**

Mir Ahmed,  
Senior Peon,  
Eastern Refinery Ltd,  
North Patenga, Chittagong—1st party

*Versus*

The General Manager,  
Eastern Refinery Ltd.  
North Patenga, Chittagong—2nd party.

Present : Mr. Md. Abdur Rahman Patwari— Chairman.  
Mr. Nasiruddin Bahadur— Members.  
Mr. Faiz Ahmed,

Mr. A.K. Humayun Kabir, Advocate for 1st party. Mr. Subash Chandra Lala and Mr. Asish Kumar Dutta, Advocates. for—2nd party.

Judgement-Dated, 11-02-98.

The case of 1st party, in brief, is that he was appointed as Peon in the enterprise of the 2nd party on 29-6-77 and few years after he was promoted to the post of Senior Clerk. That his conditions of service are governed by the provisions of Public Corporation (Management Co-ordination) Ordinance 1986 read with its upto date amendments. That provision of Section 2(b) and (d) and also Schedule to Section 2(d) of the said Ordinance are applicable in the enterprise of the 2nd party. That, provisions of Section 14(A) of the said Ordinance provides that a worker of an enterprise shall retire from employment on completion of his sixtyth year of age.

The further case of the 1st party is that as he is a Senior Peon in the said enterprise as such he is a worker as defined in Section 2(e) of the said Ordinance which defines : Worker means any person, skilled or unskilled, who works for hire or rewarded but does not include a person who is employed in any managerial, administrative, supervisory or solely clerical capacity. That since the age of retirement has been provided in Section 14(A) of the said Ordinance, the 1st party secured guaranteed right in his favour to serve in the said enterprise till the date of completion of sixtyth year of his age. But in flagrant violation of the said mandatory provisions of law the 2nd party has issued to him letter dated 19-08-97 informing therein that since his date of birth is 16-02-1941 and that on 15-02-1998 he will attain 57 years of age he will, therefore, retire from service with effect from the afternoon of 15th February, 1998 in terms of the existing Rules of the enterprise.

That since Section 14(A) of the said Ordinance clearly provides that notwithstanding anything contained in the terms and conditions of employment in any contract, rule, regulation, bye-law or other instrument, a worker shall retire from employment on the completion of his sixtyth year of age. So the 1st party cannot be retired from his employment before completion of his sixtyth year of age. As such, the proposed alleged retirement of the 1st party from employment on his completion of 57 years of age on 15-02-98 will be illegal, void and in operative.

It is also the case of the 1st party that he on receipt of the said illegal and alleged proposed retirement by 2nd party's letter dated 19-08-97, the 1st party sent his letter dated 27-08-97 protesting against the same but he was not favoured with any reply. That, thereafter the 1st party issued a lawyer's notice dated 24-11-97 to the 2nd party to withdraw the said illegal notice dated 19-08-97 of alleged retirement within 15 days but the 2nd party remained silent.

That to protect the secured and guaranteed right of the 1st party under the said provisions of law, operation of the illegal and alleged retirement of the 1st party from employment with effect from 15-02-98 as contained in 2nd party's letter dated 19-08-97 is needed to be stopped else that shall result, irreparable loss, prejudice and injury to the 1st party. Hence this case.

The 2nd party on receipt of notice entered appearance and filed a written statement denying all material allegations of the 1st party. The specific case of the 2nd party is that the 1st party was appointed as peon on 29-06-1977. That the 2nd party is a Public Limited Company under Companies Act from the time of the then Pakistan. After liberation of Bangladesh, the company was made a subsidiary of Bangladesh Petroleum Corporation but the company has been functioning as before and for that the service condition of the 1st party is determined under the provisions of I.R.O, 1969. That 57 years is the retirement age of all workers prevailing for a long time in the company and all the workers so far retired from the company at the age of 57 years and thus the notice of retirement was issued to the 1st party as usual for retirement with effect from 15-02-98. That the 1st party initiated the instant case under the provision of Public Corporation Management Co-ordination Ordinance, 1986 for wrongful gains which has no applicability in the case of the 1st party and the same applies only in case of workers falling under the purview of Factories Act, 1965. That the Public Servants Retirement Act:

1974 applies to the 1st party as he falls under the Shops and Establishment Act, 1965 and that his age of retirement from service is 57 years as is prevailing in all public sector corporation for the same categories of employees.

The further specific case of the 2nd party is that as a subsidiary company of Bangladesh Petroleum Corporation, Bangladesh Factories Act, 1965 and Bangladesh Shop and Establishment Act, 1965 are applicable to the workers of the 2nd party Establishment. That the workers who are directly involved in manufacturing process are guided under the Factories Act and the rest under the Shops and Establishment Act. That in the Factories Act, 1965 and Shops and Establishment Act, 1965, there are no age limit for retirement of the workers and for that the Government passed Public Servant Retirement Act, 1974 and brought the workers of Nationalised and Statutory Bodies and taken over industries within the purview of the said Act which prescribed age limit for the workers for retirement at 57 years of age. That the 2nd party establishment in pursuance of promulgation of the said Act in understanding with the C.B.A. introduced age limit of all workers at 57 years.

That the 1st party is working in the Finance and Accounts Department of of the 2nd party establishment and the nature of his job is solely non-technical rather clerical in nature having no touch with the manufacturing process and thereby the 1st party do come within the purview of Shops and Establishment Act, 1965 and for the retirement age of such employees is determined by law at 57 years of age as per provision of Public Servant Retirement Act, 1974. That workers falling within the definition of Factories Act, 1965 are covered under State Owned manufacturing Industries (Terms and Conditions) Ordinance, 1973 and thus those workers had no statutory prescribed age limit for retirement. In view of that, an amendment of the Public Corporation (Management Co-ordination) Ordinance, 1986 was made in 1994 whereby the retirement age of the Manufacturing workers (Factory workers) of the Public Sector was fixed at 60 years inserting Sub-Section 2(e) and clause 14(A) by Act No. 17 of 1994. That in the original Act being Act No. XLVIII of 1986 there was no definition for the workers and by subsequent amendment of 1994, definition of workers incorporated which reads as under :-

Clause (e)- Worker means any person, skilled or unskilled who works for hire or reward, but does not include, a person who is employed in Managerial, Administrative, Supervisory or solely clerical capacity.

That in the light of aforesaid definition, only the workers covered by Factories Act/State Owned Manufacturing Industries (workers Terms and Conditions of Service) Ordinance 1973 come under the purview of Public Corporation (Management Co-ordination Ordinance, 1986 in respect of retirement at 60 years of age. That as the 1st party is working in the Finance and Accounts Department (Clerical Department) and he being not a worker under the Factories Act or that of State Owned Manufacturing Industries (Terms and Conditions of Service) Ordinance, 1973 he cannot claim benefit in respect of retirement age under Public Corporation (Management Co-ordination) Ordinance, 1986 and thus the 1st party cannot challenge the age limit of 57 years for retirement under Public Servant Retirement Act, 1974 and that of bilateral understanding with C.B.A.

That if the prayer of the 1st party is allowed, this will creat a serious problem in the whole public sector which will frustrate the very object of the law makers and the purpose of introducing the law will be defeated. That the 1st party worker is a public servant and he come under the Public Servant Retirement Act, 1974. That in the 2nd party establishment the factory workers were also retiring at the age of 57 years in the post with an understanding with C.B.A. That after promulgation of Public Corporation (Management Co-ordination) Amendment Ordinance, 1994, the C.B.A. submitted a demand (industrial dispute for fixing the retirement age of factory workers at 60 years in line with the Ordinance and the 2nd party as per understanding with them refixed retirement age for all manufacturing workers falling under Factories Act, 1965 and State-Owned Manufacturing Industries workers (Terms and Conditions of Service) Ordinance, 1973 the 2nd party issued notification determining the retirement age at 60 years of all workers who fall under the Factories Act and who are directly involved with the manufacturing process. That the 1st party being a workers under Shops and Establishment Act, 1965, his job is not connected with the manufacturing process but solely clerical nature in as much as he is working in the Finance and Accounts Department and thus he has no right to claim the benefit under Public Corporation (Management Co-ordination) Ordinance, 1986.

therefore, the 2nd party prays for dismissal of the case.

#### Point for Determination

1. Whether the disputed letter dated 19-08-1997 issued by the 2nd party is illegal and inoperative ?
2. Whether Public Corporation (Management Co-ordination) Ordinance, 1986 read with its upto date Amendment is applicable to the 1st party ?
3. Whether the 1st party is entitled to get any relief. ?

#### Findings and Decisions

It is an admitted fact that the 1st party was appointed as Peon on 29-06-77 in the enterprise of the 2nd party and a few years after he was promoted to the post of Senior Peon. The 1st party claims that his conditions of services are governed by the provision of Public Corporation (Management Co-ordination) Ordinance, 1986 read with its upto date amendment in 1994 and that since he is a worker as per defination laid down in Section 2(e) of the said Ordinance, he is entitled to retire from service after completion of sixtyth years of age keeping in view the provision of Section 14(A) of the said Ordinance. The 1st party further claims that letter dated 19-08-97 Exhibit-1 issued by the 2nd party informing him that he is due to retire on 15-02-98 after completion of 57 years of age is illegal and inoperative.

On the contrary, the 2nd party contends that the 1st party is a worker under Shops and Establishment Act, 1965 and that his retirement age is 57 years as per provision of Public Servant (Retirement) Act, 1974. The 2nd party further contends that both Factories Act, 1965 and Shops and Establishment Act, 1965 are applicable to the workers of the 2nd party establishment. The workers who are directly involved in manufacturing process are guided under

Factories Act, 1965 and the rest fall under the purview of Shops and Establishment Act, 1965. As in the Factories Act, 1965 and Shops and Establishment Act, 1965, there are no age for retirement of the workers, the Government passed Public Servant Retirement Act, 1974 prescribing the age limit for retirement at 57 years in respect of Nationalised, Statutory Bodies and taken over industries and that the 2nd party establishment introduced the age limit of all workers for retirement at 57 years having consensus with C.B.A. That afterwards with the promulgation of Public Corporation (Management Co-ordination) Ordinance, 1986 read with its upto date amendment vide Public Corporation (Management Co-ordination) (Amendment) Act 1994, the age limit of workers covered by Factories Act, 1965 was refixed at 60 years, Exhibit-B and as the case of the 1st party does not come under the purview of the said Ordinance/Act, he is to retire at the age of 57 years in terms of Public Servant (Retirement) Act, 1974.

We observe that as per Section 2(e) of Public Corporation (Management Co-ordination) Ordinance, 1986 and subsequent amendment a worker means any person skilled or unskilled, who works for hire or reward but does not include a person who is employed Managerial, Administrative, Supervisory or solely clerical capacity. So we note that the 1st party having been employed in the Finance and Accounts Department of the 2nd party establishment is not directly concerned with manufacturing process and as such Public Corporation (Management Co-ordination) Ordinance, 1986 read with its upto date amendment carried out through Public Corporation (Management Co-ordination) (Amendment) Act, 1994 will not attract in his case. It may be mentioned here that as he is employed in a clerical Department like Finance and Accounts of the 2nd party establishment, his nature of job precisely might be of clerical nature emanated from such a Department as a result of which his service being of non-technical is reasonably to be governed by Shop and Establishment Act, 1965 read with I.R.O, 1969. But as Shop and Establishment Act, 1965 does not provide any age limit for retirement, Public Servant (Retirement) Act, 1974 is likely to be applicable in the case of the 1st party which cover the age limit of retirement as 57 years as he is a non production staff. It is not disputed by the parties that the 1st party will attain 57 years on 15-02-98 and consequent upon this, the 2nd party by issuing the disputed letter dated 19-08-97 Exhibit-1 informed him this aspect that he is due to retire on 15-02-98. We do not find any illegality in this behalf.

Therefore, we can conclude that the disputed letter dated 19-08-97 Exhibit-1 is neither illegal nor in Operative and that in this view of the matter Public Corporation (Management Co-Ordination) Ordinance, 1986 read with its upto amendment is not applicable in this case. In the result the 1st party is not entitled to get any relief.

Consulted the Ld. Members. The Ld. Member Mr. Alhaj Nasiruddin Bahadur who represents the employer side expressed his views that the 1st party cannot claim benefit under Public Corporation (Management Co-ordination) Ordinance, 1986 read with its upto date amendment for retirement at age of sixtyth years as the Factories Act, 1965 is not applicable in this case.

Mr. Faiz Ahmed who represents the employees side submits that whatever may be status of the 1st party, he is a worker as he is not a Managerial Administrative, Supervisory or clerical staff and that the provision of Public

Corporation (Management Co-ordination) Act, 1986 read with its upto date amendment will apply in this regard. Accordingly, he opined that the 1st party will get the benefit of the age limit of sixtyth for retirement.

In fact, the 1st party by claiming that he is not a clerk rather a peon, tries to escape from the arina of the term 'clerical capacity, who was excluded from the definition of worker' under Public Corporation (Management Co-ordination) Act, 1994. In strict sense, the intentiong of law makers is to be considered in such a circumstances. The law makers presumely excluded the person not connected with the production by inserting the term. "solely clerical capacity" as it is manifest. In our anxious consideration, as retirement age was fixed for the workers belonging to clerical nature under Puclic Servant (Retriement) Act, 1974, the word "clerical capacity" should not be confined to designated clerks alone. We may repeat here to dispel any confusion that admittedly the 1st party is not directly involved with manufacturing process being employed in Finance and Accounts Department as already discussed by us and thereby obviously he comes within the ambit of Public Servant (Retirement) Act, 1974 and not under Public Corporation (Management Co-ordination) (Amendment) Act, 1994. So we cannot agree with the view of the Ld. Member Mr. Faiz Ahmed who represented the employees side.

Accordingly it is,

**Ordered**

that the I.R.O. Case be dismissed on contest against the 2nd party without any cost.

**Md. Abdur Rahman Patwary**  
Chairman, 1st Labour Court,  
Chittagong.

**IN THE 1ST LABOUR COURT AT. CHITTAGONG**

**T. Case No. 12/96.**

Abul Hossain, S/o. Late Asmat Ali,  
Vill. Steamerghat, P.O.Baraghop,  
P.S. Kutabdia, Dist. Cox's Bazar—*Pettitioner.*

*Versus*

1. Dy. General Manager.
2. Manager (Accounts),  
Both of Wood Treating Plant.,  
BFIDC, Kalurghat, Chittagong—*Opposite parties.*

Order No. 29, dated 3-2-98.

Present : Mr. Md. Abdur Rahman Patwari,  
Authority and the Chairman,  
1st Labour Court, Chittagong.



The opposite party files and hazira ready for hearing. The petitioner takes no step and is found absent on repeated calls.

Heard the Ld. Advocate appearing on behalf of the opposite party. The petitioner took no step on previous dates. He is also absent today without taking any step. So it is manifest that he is not interested to proceed with this case. Hence it is,

**Ordered**

that the case be dismissed for default.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court  
Chittagong.

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**P.W. Case No. 44/96.**

Sagir Ahmed and 6 others,  
Driver, Chittagong Steel Mills Ltd.,  
North Patenga, Chittagong—*Petitioners.*

*Versus*

1. Managing Director,  
Chittagong Steel Mills Ltd.,  
North Patenga, Chittagong.
2. General Manager (Admn),  
Chittagong Steel Mills Ltd.  
North Patenga, Chittagong. —*Opposite Parties.*

**P.W. Case No. 45/96**

Abul Kashem,  
Driver, Chittagong Steel Mills Ltd.,  
North Patenga, Chittagong—*Petitioner.*

*Versus.*

1. Managing Director,  
Chittagong Steel Mills Ltd.,  
North Patenga, Chittagong.
2. General Manager (Adm),  
Chittagong Steel Mills Ltd.,  
North Patenga, Chittagong—*Opposite Parties.*

Present : Mr. Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court, Chittagong.

Mr. Jane Alam, Advocate for petitioners.

Mr. A.K.M. Mohsanuddin Ahmed Chowdhury, Advocate for opposite parties.

Judge-*Dated*, 26-02-98

The case of the petitioners is that they were appointed in the year 18-1 as Drivers in the Light Transport Section of the Chittagong Steel Mills Ltd. in the scale of Tk. 325--610 and that they were fixed at Tk. 355 as basic pay in the years 1983 and that they were fixed at Tk. 400 in the year 1984 by giving special increment vide office order dated 15-09-84. That they were put in the scale of Tk. 750-1550 in the year 1985 and thereafter fixed at Tk. 1020-00

That when the petitioners put their 8 years of services, the opposite party allowed them time scale and they were fixed at monthly basic pay of Tk. 1100 in the scale of Tk. 800-1630 and they were upgraded to the scale of Tk. 370-745 by office order dated 16-01-91 instead of Tk. 325-610 and fixed at Tk. 1345 as basic pay and that thereafter fixed at Tk. 1400 and that they were again fixed in the scale of Tk. 1475-3150 in the year 1991 when the new national pay scale was declared by the Government and they were fixed at Tk. 2015 and thereafter for Tk. 2295 in the year 1994.

That the pay of the petitioners was refixed at Tk. 2485+ PP 47.50 after merging 50% of 10% of pay increase and that after merging 50% of the rest portion of the increased pay they were fixed at Tk. 2675 and thereafter fixed at Tk. 2770 by office order dated 6-1-96.

That when the petitioners put their 10 years of service, the opposite party allowed them selection grade by office order dated 14-01-96 and put them in the scale of Tk. 800-1630 and fixed their salary at Tk. 1100 revising their earlier fixation in the scale of Tk. 850-1700.

That the opposite party started deduction @ Tk. 500 per month from their salary from the month of May, 1996 and again from the month of June, 1996 without any notice.

That the petitioners raised objection in the matter of deduction of Tk. 500 from their monthly salary and in reply the opposite party informed them that the deduction will continue due to over payment. That such deduction from the salary of the petitioners was contrary to the provision of Payment of Wages Act, 1936. Hence they brought the case.

The opposite party No. 1 filed a written statement denying the material allegations made in the case petition. The opposite party raised preliminary objections that the case was not filed properly and the same is not maintainable as per law.

In the real facts, the case of the opposite party is that the petitioners were appointed as drivers in the scale of Tk. 325-610 in the year 1981. That they were fixed in the scale of Tk. 370-745 in the year 1991 under illegal pressure and coercion upon the Management. That the corresponding scale of Tk. 370-745 is Tk. 800-1630 to which they were not entitled to. That

consequent upon this subsequent fixation were made in the wrong way and contrary to the Act and the gazette notification issued by the Government. That this fact was detected by the Audit department of Bangladesh Steel and Engineering Corporation, Dhaka in the year 1990-91 under which Chittagong Steel Mills Ltd. is an Industrial Unit. That in reply to their query, the Management explained to them the circumstances under which higher scale was allowed contrary to gazette notification due to illegal pressure of the petitioners and their colleagues that explanation offered by the Management was discarded and the superior authority of the opposite party insisted them for correction of the illegal fixation and for realisation of excess payment.

Thereafter the Management was bound to correct the illegal fixation as per direction of the Higher Authority and to issue office order on 14-01-96 fixing them in the appropriate grade and scale on the basis of the scale of Tk 325--610 which is the scale meant for a driver. That the payment which was illegally drawn or in other sense paid by the Management to the petitioners was required to be deducted from the salary of the petitioners for which the Management issued an office order on 27-5-96 providing for deduction of the excess money @ Tk. 500 per month from the salary of the petitioners with effect from May 1996. That the Management did not perpetrate any illegality upon the petitioners. That they were given proper and actual scale according to entitlement and as per law. That the petitioners can not claim any illegal payment beyond act and notification. That the Management is lawfully authorised to recover the excess amount paid to the petitioners from their salary.

Under the facts and circumstances, the opposite party prays for dismissal of the case.

#### Points for Determinations-

1. Whether P.W. Case No. 44/96 and P.W. Case No. 45/96 were maintainable ?
2. Whether Court Fees were payable in P.W. Case No. 44/96 and P.W. Case no. 45/96.
3. Whether P.W. Case no. 44/96 and P.W. Case no. 45/96 were bail for non-joinder of necessary party ?
4. Whether the petitioners are entitled to get an order directing the opposite party to stop deduction of money from the monthly salaries of the petitioners and also for repayment of the amount already deducted from their salaries ?

#### Findings and Uecision

##### Point No. 1

The Ld. Advocate on behalf of the opposite party argued that the petitioners brought the case u/s 15 of the Payment of Wages Act, 1936 instead of instituting the same u/s 34 of I.R.O., 1969 . His view is that as such the case was not properly framed. Conversely, the Ld. Advocate for the petitioners contends that their claims arises out of deductions from the wages and they

have sought for direction to stop deductions and also to repay the amount already deducted. He also contends that they filed separate cases U/s 34 of I.R.O., 1969 challenging reduction in the grade of pay scale and those cases are still pending and that as such the instant cases in the present form are quite maintainable. The opposite parties do not dispute institution of separate cases u/s 34 of I.R.O., 1969 by the petitioners. Therefore, we are constrained to dispose of this point in the affirmative.

#### Point No. 2.

We have meanwhile observed that the petitioners instituted these two cases u/s 15(2) of the Payment of Wages Act, 1936. In Section 21(iii), it has been prescribed that court fees of taka two are payable for every application made by or on behalf of an individual person before the Authority. On the contrary, the petitioners paid no court fees. In the proviso of Section 21 of the Payment of Wages Act, 1936, it has been laid down that the Authority or the court may in consideration of the poverty of the applicant, reduce or remit this fee. Obviously the petitioners did not file any application for consideration. As such for lack of non filing off any application for consideration in this behalf, requisite fees were payable on the original applications by the petitioners as per rate prescribed. But strangely requisite fees were not duly paid.

#### Point No. 3 :

The stand of the opposite party are that they started recovery of excess amount paid to the petitioners under the order of Bangladesh Steel and Engineering Corporation, Dhaka as conveyed vide Memo No. BSEC/PAR/GC/5-01/1590, dated 03-12-95, Exhibit-0, But as Bangladesh Steel and Engineering Corporation, Dhaka was not impleaded as opposite party, the case is bad for non joinder of necessary party. On the other hand, the petitioners side contend that they impleaded their appointing Authorities as opposite party No. 1 and 2 and that Bangladesh Steel and Engineering Corporation Dhaka is not a necessary party. It is a fact that on receipt of Audit Report, the matter pertaining to payment of alleged excess amount was revealed and the aspect came to the knowledge of Bangladesh Steel and Engineering Corporation, Dhaka. As admittedly Chittagong Steel Mills Ltd. is an industrial unit of Bangladesh Steel and Engineering Corporation, Dhaka and the same is over all controlling Authority of Chittagong Steel Mills Ltd. and that owing to non inclusion of Bangladesh Steel and Engineering Corporation as opposite party, the case suffers from non-joinder of necessary party.

#### Point No. 4.

The petitioners filed P.W. Case No. 44/96 and P.W. Case No. 45/96 under the Payment of Wages Act, 1936 challenging deduction @ Tk. 500 per month from their salary on account of alleged excess payment. They contend that they were appointed as drivers in the scale of Tk. 325--610 vide Exhibit-1 series and their pay scale was upgraded to the scale of Tk. 370--745 instead of Tk. 325-610 by office order dated 16-01-91. They claim that they were allowed corresponding pay scale from time to time with the introduction of new national pay scale in 1985 and 1991 and that their pay were refixed as per entitlement. Their contention is that deduction of Tk 500 per month from

their salary is required to be stopped and the amount meanwhile deducted are subject to repayment. Their further contention is that in Chittagong Steel Mills Ltd. the post of Assistant-II was existing and that drivers holding heavy vehicle licence were provided pay scale of Tk. 370--745 as per office order. They produced some papers in this respect.

The opposite party No. 1 of course, filed written statement challenging the very contention of the petitioners. The opposite party No. 1 states that the petitioners are light vehicle drivers of Chittagong Steel Mills Ltd. and they were appointed in the scale of Tk. 325--610. There is no post of Assistant-II at present in Chittagong Steel Mills Ltd. and that they by force and coercion obtained the scale of Tk. 370--745 to which they were not entitled. That Chittagong Steel Mills Ltd. is a unit of Bangladesh Steel and Engineering Corporation, Dhaka and that the Government with a view to provide reorganisation of the services of the Republic and of public bodies and nationalised enterprises, and for prescribing unified grades and scales of pay and other terms and conditions of services for persons in such services enacted. The Services Reorganisation and Conditions) Act, 1975. Their further contention is that the pay scale of drivers in all public bodies and nationalised enterprises was Tk. 325--610 and that they were given the proper scale. That in course of examining the accounts of Chittagong Steel Mills Ltd. in the year 1990-91 the Audit team of Bangladesh Steel and Engineering Corporation Dhaka and the Audit team of the Directorate of Commercial Audit raised objection as to the payment of higher pay scale of Tk. 370-745 to the petitioners beyond their entitlement. That as per direction of Bangladesh Steel and Engineering Corporation, Dhaka the pay scale of the petitioners were refixed according to their entitlement and that the excess money so far paid to them is being recovered by monthly instalments.

P.W. 1 Rahim Ullah is petitioner No. 5. He deposed on his own behalf and on behalf of other petitioners. In his deposition, he has stated that the authority of Chittagong Steel Mills Ltd. to dispel the anomalies, allowed them the pay scale of Tk. 370-745 and after refixation of their salaries they drew pay upto April, 1996. But the opposite parties without giving them any notice started deduction @ Tk. 500 from their salary with effect from May, 1996. During cross examination, he said that pay scale and other financial benefit to the employees are determined by the Government. The opposite party gave him suggestion that the petitioners by applying force over the management of Chittagong Steel Mills Ltd. illegally realised the pay scale of Tk. 370--745 and the opposite party further gave him suggestion that the petitioners compelled the management on 7-1-1991 to constitute and committee and the committee due to their pressure was bound to submit their report in their favour on the same date (7-1-1991) and that they applied force on opposite party No. 1 to approve the report of the Committee on the very date of 7-1-1991. He denied those suggestions.

P.W.1 Rejaul Karim Chowdhury is a Senior Administrative Officer of Chittagong Steel Mills Ltd. He has stated in his deposition that the pay scale of the officers and employees of Chittagong Steel Mills Ltd. are determined by the Government and that at the time of appointment of the petitioners as drivers they were provided with pay scales of Tk. 325--610 in terms of pay scale of the Government published in the gazette notification. He has further stated in examination in chief that the petitioners were clamouring higher pay scales and on 24-10-88 Collective Bargaining Agent placed demand in writing

The petitioners also jointly claimed higher scale on 3-11-90. But the management rejected their demand. Thereafter the petitioners on 7-1-91 created pressure on the management of Chittagong Steel Mills Ltd. as a result of which on the very date of 7-1-91 a committee was formed in this regard and the committee submitted a report on 7-1-91 which was approved by the opposite party No. 1 on the same date.

D.W. 1 also stated in his examination in chief that the management was compelled to issue office order raising the pay of the petitioners in the scale of Tk. 370-745 on 7-1-91 and after refixation of their pay, they were paid arrears. As per his version, there was stipulation in the fixation sheet that any mistake was subject to correction and letters were issued to the petitioners in this behalf. In addition notification was published in the gazette. That on 31-3-91 a Audit party of Bangladesh Steel and Engineering Corporation, Dhaka came to Chittagong Steel Mills Ltd. for examining the accounts and they noticed the said irregularities. Besides, the Audit team of the Directorate of Commercial Audit examined the accounts of Chittagong Steel Mills Ltd. for the year 1990-91 and observed illegality in granting pay scales of Tk. 370-745 to the petitioners. Thereafter Bangladesh Steel and Engineering Corporation, Dhaka on 3-12-95 wrote to the Managing Director, Chittagong Steel Mills Ltd., opposite party No. 1 to refix the salary of the petitioners in the appropriate scale and to recover the excess payment. He has next stated in his examination in chief that as per direction of the Bangladesh Steel and Engineering Corporation, Dhaka, the petitioners were fixed in a proper pay scale and on 14-1-96 they were informed about the decision of Bangladesh Steel and Engineering Corporation, Dhaka.

In cross examination, he said that they tried to justify granting of higher scale to the petitioners in reply to audit-objections and Bangladesh Steel and Engineering Corporation, Dhaka did not accept their stand. He admitted that engineering Corporation, Dhaka did not accept their stand. He admitted no criminal action was taken against the committee who recommended higher scale to the petitioners.

At the time of hearing, the Ld. Advocate on behalf of the opposite party No 1 submitted that as per sub-section (1) of section-5 of the Services (Reorganisation and Conditions) Act, 1975, the Government was empowered to prescribe unified grades and scales with a view to bringing uniformity in the grades and scale of pay of different persons or class of persons employed in the service of the Republic of any public body or Nationalised Enterprise. That in sub-section (2) of section-5 of the said Act, it has been laid down that no person whose grade or scale of pay is prescribed under sub-section (1) shall receive and no person shall allow such person any benefit of a grade or scale or pay which is higher than the grade or scale of pay prescribed for them. That there is a provision in section-9 of the Act that whoever contravenes any provision of section 5(2) shall be punishable with fine and that the offence so committed is cognizable by a court of law under section-11 of the aforesaid Act. He concluded his submission by saying that the offence committed by both the petitioners and the erstwhile Management of Chittagong Steel Mills Ltd. although was punishable, yet the opposite party No. 1 let them off, by taking more Departmental action which is a grace to them.

As against, the Ld. Advocate representing the petitioners contended that the petitioners were allowed the pay scale of Tk. 370-745 to the petitioners and a right was accrued to them. He further contended that when the order ted, has taken effect and in pursuance of that order certain right has been created that order can not be withdrawn or rescinded to the detriment of the petitioners. In support of his contention, he placed reliance in the ruling reported in 31 DLR at page-88.

On a careful reading of the ruling cited by the Ld. Advocate on behalf of the petitioners, we respectfully observe that the facts and circumstances of the instant case is different to that of the reported case.

As a matter of fact, on perusal of the evidences and papers on record, we find that allowing of the pay scales of Tk. 370-745 to the petitioners was not in keeping with the pay scale prescribed by the Government for drivers. The opposite party No. 1 issued advertisement inviting applications from deserving candidates for appointment as light vehicle drivers, the petitioners offered them as suitable candidates for appointment to the post and the Management concerned appointed them as such in the scale of Tk. 325-610 whereupon they accepted the offer and joined to the post. Thus the offer and acceptance were complete and the contract was closed. Subsequently claiming of higher scale and granting of same to the petitioners as per their demand were contrary to the rules prescribed Viz. The Services (Reorganisation and Conditions) Act, 1975 and that the direction of Bangladesh Steel and Engineering Corporation Dhaka on the basis of Audit reports is not improper. The point is decided against the petitioners.

In the result, the case can not succeed. Hence it is,

**Ordered**

that P.W Case No. 44/96 and P.W. Case No. 459/6 be dismissed on 2 contest against opposite party No. 1 and exparte against opposite party No.2 without cost.

Md. Abdur Rahman Patwari  
Chairman, 1st Labour Court,  
Chittagong.

**Complaint Case No. 39/96.**

Ratna Pal, S/o. Avimullay Paul, Operator,  
Arrow Fashion Pvt. Ltd. and Member, Arrow  
Fashion Garments Sramik Karmachari Union,  
Regd. No. Chatta-1110, 82/83, Sadarghat Road,  
P.S. Kotwali, Dist. Chittagong—1st party.

**Vs.**

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque,  
Managing Director, Arrow Fashion Pvt. Ltd.  
Factory-82/83, Sadarghat Road, P.S. Kotwali,  
Dist. Chittagong, Head Office-Ziban Bima Bhavan,  
Jublee Road, P.S. Kotwali, Dist. Chittagong—2nd party.

Order No. 15, dt. 22-2-98.

The court is duly constituted with the following :

Mr. Md. Abdur Rahman Patwari,	Chairman.
Mr. A.T.M. Nurul Alam,	} Members.
Mr. Tapan Dutta;	

The petition dated 17-06-97 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Perused the petition and the record. Consulted the Ld. Members.

The prayer is allowed. Hence it is,

**Ordered**

That the 1st party be permitted to withdraw the case.

Md./ Abdur Rahman Pawtvari,  
Chairman, 1st Labour Court,  
Chittagong.

**Complaint Case No. 40/96-**

Shikha Das Gupta, S/o. Madhusudan Das Gupta, Operator,  
Arrow Fashion Pvt. Ltd. & Member, Arrow  
Fashion Garmants Sramik Karmachari Union,  
Regd. No. Chatta-1110, 82-83, Sadarghat Road,  
P.S. Kotwali, Dist. Chittagong—1st party.

*Vs.*

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque,  
Managing Director, Arrow Fashion Pvt. Ltd.,  
Factory-82-83, Sadarghat Road, P.S. Kotwali,  
Dist. Chittagong, Head Office-Ziban Bima Bhavan,  
Jublee Road, P.S. Kotwali, Dist. Chittagong—2nd party.

Order No. 15, dt. 22-2-98.

The court is duly constituted with the following :—

Mr. Md. Abdur Rahman Patwari,	Chairman.
Mr. A.T.M. Nurul Alam,	} Members.
Mr. Tapan Dutta,	

The petition dated 17-06-97 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Perused the petition and the record. Consulted the Ld. Members.



The prayer is allowed. Hence it is,

**Ordered**

That the 1st party be permitted to withdraw the case.

Md. Abdur Bahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.;

**Complaint Case No. 41/96.**

Krishna Dev, S/o. Prashanna Chandra Dev, Operator,  
Arrow Fashion Pvt. Ltd. & Member, Arrow Fashion  
Garments Sramik Karmachari Union, Regd. No. Chatta-1110,  
82/83, Sadarghat Road, P.s. Kotwali, Dist. Chittagong—1st party

*Vs.*

SK. Abdul Momin Mintu, S/o. Late Abdul Khaleque,  
Managing Director, Arrow Fashion Pvt. Ltd.,  
Factory-82/83, Sadarghat Road, P.S. Kotwali,  
Dist. Chittagong, Head Office-Ziban Bima Bhavan,  
Jublee Road, P.S. Kotwali, Dist. Chittagong—2nd party.

Order no 15 dt. 22-2-98

The court is duly constituted with the following :

Mr. Md. Abdur Rahman Patwari,	Chairman.;
Mr. A.T.M. Nurul Alam,	} Members,
Mr. Tapan Dutta,	

The petition dated 17-06-97 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Perused the petition and the record. Consulted the Ld. Members.

The prayer is allowed. Hence it is,

**Ordered**

That the 1st party be permitted to withdraw the case.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.;

## Complaint Case No. 42/96.

Rani Chowdhury, S/o. Annadacharan Chowdhury, Operator,  
Arrow Fashion Pvt. Ltd. & Member, Arrow Fashion  
Garments Sramik Karmachari Union, Regd. No. Chatta-1110,  
82/83, Sadarghat Road, P.S. Kotwali, Dist. Chittagong—1st party

*Vs.*

Sk. Abdul Momin Mintu, S/o, Late Abdul Khaleque,  
Managing Director, Arrow Fashion Pvt. Ltd.,  
Factory-82/83, Sadarghat Road, P.S. Kotwali,  
Dist. Chittagong, Head Office-Ziban Bima Bhavan,  
Jublee Road, P.S. Kotwali, Dist. Chittagong—2nd party.

Order No 15, dt. 22-2-98.

The court is duly constituted with the following :—

Mr. Md. Abdur Rahman Patwari	Chairman.
Mr. A.T.M. Nurul Alam,	} Members.
Mr. Tapan Dutta.;	

The petition dated 17-06-97 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Perused the petition and the record. Consulted the Ld. Members.

The prayer is allowed. Hence it is,

**Ordered**

That the 1st party be permitted to withdraw the case.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.;

## Complaint Case No. 43/96.

Tulshi Das, W/o. Ajit Das, Operator,  
Arrow Fashion Pvt. Ltd. & Member,  
Arrow Fashion Garments Sramik Karmachari Union,  
Regd. No. Chatta-1110, 82/83, Sadarghat Road,  
P.S. Kotwali, Dist. Chittagong.—1st party:

*Vs.*

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque,  
 Managing Director, Arro Fashion Pvt. Ltd.,  
 Factory-82/83, Sadarghat Road, P.S. Kotwali,  
 Dist. Chittagong, Head Office-Ziban Bima Bhavan,  
 Jublee Road, P.S. Kotwali, Dist. Chittagong—*2nd party.*

Order No. 15, dt. 22-2-98.

The court is duly constituted with the following :—

Mr. Md. Abdur Rahman Patwari,	Chairman.
Mr. A.T.M. Nurul Alam,	} Members.
Mr. Tapan Dutta.	

The petition dated 17-06-97 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Perused the petition and the record. Consulted the Ld. Members.

The prayer is allowed. Hence it is,

**Ordered**

That the 1st party be permitted to withdraw the case.

Md. Abdur Rahman Patwari,  
 Chairman, 1st Labour Court,  
 Chittagong.

**Complaint Case No. 44/96.**

Parul Dey, S/o. Karma Das Dey, Operator,  
 Arrow Fashion Pvt. Ltd. & Member,  
 Arrow Fashion Garmants Sramik Karmachari Union,  
 Regd. No. Chatta-1110, 82-83, Sadarghat Road, P.S.  
 Kotwali, Dist. Chittagong.—*1st party.*

*Vs.*

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque,  
 Managing Director, Arrow Fashion Pvt. Ltd.,  
 Factory-82-83, Sadarghat Road, P.S. Kotwali,  
 Dist. Chittagong. Head Office-Ziban Bima Bhavan,  
 Jublee Road, P.S. Kotwali, Dist. Chittagong—*2nd party.*

Order No. 15, dt. 22-2-98.

The court is duly constituted with the following :—

Mr. Md. Abdur Rahman Patwari,	Chairman.
Mr. A.T.M. Nurul Alam,	} Members.
Mr. Tapan Dutta,	

The petition dated 17-06-97 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Perused the petition and the record. Consulted the Ld. Members.

The prayer is allowed. Hence it is,

**Ordered**

That the 1st party be permitted to withdraw the case.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.;

**Complaint Case No. 45/96**

Chabi Rani Dey, S/o. Dharma Das Dey, Operator,  
Arrow Fashion, Pvt. Ltd. & Member, Arrow Fashion  
Garments Sramik Karmachari Union, Regd. No. Chatta-1110,  
82/83, Sadarghat Road, P.S. Kotwali, Dist. Chittagong—1st party

*Vs.*

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque,  
Managing Director, Arrow Fashion Pvt. Ltd.,  
Factory-82/83, Sadarghat Road, P.S. Kotwali,  
Dist Chittagong, Head Office-ziban Bima Bhavan,  
Jublee Road, P.S.Kotwali. Dist. Chittagong—2nd party.

Order No. 15, dt. 22-2-98.

The court is duly constituted with the following :—

Mr. Md. Abdur Rahman Patwari,	Chairman.
Mr. A.T. M. Nurul Alam,	} Members.
Mr. Tapan Dutta,	

The petition dated 17-06-97 filed by the 1st party for withdrawal of the Case is taken up for hearing and order.

Perused the petition and the record. Consulted the Ld. Members.

The prayer is allowed. Hence it is,

**Ordered**

That the 1st party be permitted to withdraw the case.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

**Complaint Case No. 4/96.**

Nur Banu, W/o. Monsur Hossain, Helper,  
Arrow Fashion Pvt. Ltd. & Member, Arrow Fashion  
Garments Sramik Karmachari, Union, Regd. No. Chatta-1110  
82/83, Sadarghat Road, P.S. Kotwali, Dist. Chittagong—1st Party

*Vs.*

Sk. Abdul Momin Mointu, S/o. Late Abdul Khaleque,  
Managing Director Arrow Fashion Pvt. Ltd.,  
factory-82/83, Sadarghat Road. P.S. Kotwali,  
Dist. Chittagong, Head Office-Ziban Bima Phavan,  
Jublce Road, P.S. Kotwali, Dist. Chittagong,—2nd party.

Order No. 15 dt. 22-2-98.

The court is duly constituted with the following :

Mr. Md. Abdur Rahman Patwari, Chairman.  
Mr. A.T.M. Nurul Alam, }  
Mr. Tapan Dutta, } Members.

The Petition dated 17-06-97 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Perused the Petition and the record. Consuled the Ld. Members.

The prayer is allowed. Hence it is,

**Ordered**

That the 1st party be permitted to withdraw the case.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.;

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**Complaint Case No. 48/96.**

Abu Dutta, S/o. Dulal Dutta, Operator,  
Arrow Fashion Pvt. Ltd. & Member, Arrow  
Fashion Garments Sramik Karmachari Union,  
Regd. No. Chatta-1110, 82/83, Sadarghat Road,  
P. s. Kotwali, Dist. Chittagong.—1st party.

*Vs.*

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque, ;  
 Managing Director, Arrow Fashion Pvt., Ltd.  
 Factory-82/83, Sadarghat Road, P. s. Kotwali,  
 Dist. Chittagong, Head office--Ziban Bima Bhavan, ;  
 Jublee Road, P. s. Kotwali, Dist Chittagong.—2nd party;

Order no. 16, dt. 24.2.98

The court is duly constituted with the following :—

Mr. Md. Abdur Rahaman Patwary,	Chairman.;
Mr. A.T.M. Nurul Alam, ..	Members.
Mr. Tapan Dutta, ..	..

The petition dated 10.12.97 filed by the 1st party for withdrawal of the case is taken up for hearing and order. ;

Heard. Gone through the petition and the record. It has been stated in the petition that as the dispute was settled amicably out side the court, the 1st party does not intend to proceed further with the case.

Consulted the Ld. Members.  
 The prayer is allowed. Hence it is

**Ordered**

that the 1st party be permitted to withdraw the case as sought for.

Md. Abdur Rahaman Patwary, ;  
 Chairaman, 1st Labour Court,  
 Chittagong.;

**Complaint Case No. 53/96**

Mita Naha, W/o. Milan Naha ;  
 Helper, Arrow Fashion Pvt. Ltd.  
 & Member, Arrow Fashion Garments Sramik  
 Karmachari Union, Regd. No. Chattha-1110,  
 82/83, Sadarghat Road, P. s. Kotwali,  
 Dist. Chittagong.—1st party.

*Vs.*

Sk. Abdul Momin Mintu S/o. Late Abdul Khaleque ;  
 Managing Director Arrow Fashion Pvt. Ltd. ;  
 Factory-82/83 Sadarghat Road, P. s. Kotwali,  
 Dist. Chittagong. Head Office-Ziban Bima Bhavan,  
 Jublee Road, P. s. Kotwali, Dist. Chittagong.—2nd party.

Order no. 14 dt. 25.2.98

The court is duly constituted with the following :—

Mr. Md. Abdur Rahaman Patwari	Chairman,
Mr. A.T.M. Nurul Alam	—Members.
Mr. Tapan Dutta,	

The petition dated 7.1.98 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Heard. Perused the petition and the case record. In the petition it has been stated that the dispute between the parties were amicably settled outside the court and as such the 1st party does not wish to continue with the case. Therefore, the case is sought to be withdrawar. ;

Consulted the Ld. Members.

The prayer is allowed. Hence it is

**Ordered**

That the 1st party be permitted to withdraw the case.

Md. Abdur Rahman Patwari  
Chairman 1st Labour Court  
Chaittagong.;

Complaint Case No. 67/96

Shilpi Dey, D/o. Ratan Dey,  
Operator, Arrow Fashion Pvt. Ltd.  
& Member, Arrow Fashion Garments  
Sramik Karmachari Union, Regd. No.-  
Chatta-1110, 82/83, Sadarghat Road,  
P.s. Kotawali, Dist. Chittagong.—1st party.

**Vs.**

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque,  
Managing Director Arrow Fashion Pvt. Ltd.  
Factory-82/83, Sadarghat Road, P.s.Kotwali,  
Dist. Chittagong, Head Office-Ziban Bima  
Bhavan, Jublee Road, P.s. Kotwali, Dist.  
Chittagong.—2nd party.

Order no. 17; dt. 24.2.98.

The court is duly constituted with the following :-

Mr. Md. Abdur Rahaman Patwari,—	Chairman.
Mr. A. T. M. Nurul Alam.—	Members.
Mr. Tapan Dutta,—	Members,

The 1st party files an application praying for withdrawal of the case on the ground stated therein.

Heard. Perused the petition dated 24.02.98 and the record. The 1st party has stated in this petition that the dispute so long existing between the parties was settled amicably through negotiation outside the court. So the 1st party is not interested to proceed further with the case. The 2nd party raised no objection.

Consulted the Ld. Members.

The Prayer is allowed. Hence it is,

**Ordered**

That the 1st party be permitted to withdraw the case as sought for.

Md. Abdur Rahman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

In the 1st Labour Court at Chittagong  
Complaint Case No. 68/96

Anowara Begum, S/o. Abdul Hamid,  
Operator, Arow Fashion Pvt. Ltd.  
& Member, Arrow Fashion Garments Sramik Karmachari Union,  
Regd. No. Chatta-1110, 82/83, Sadarghat Road, P.s.Kotwali,  
Dist. Chittagong.—1st party.

**Vs.**

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque,  
Managing Director, Arow Fashion Pvt. Ltd.,  
Factory-82/83, Sadarghat Road, P. S. Kotwali,  
Dist. Chittagong, Head Office, Ziban Bima Bhavan,  
Jublee Raod, P.s. Kotwali, Dist. Chittagong.—2nd party.

Order no. 16, dt. 11.2.98.

The court is duly constituted with the following :-

Mr. Md. Abdur Rahaman Patwari,—Chairman.  
Mr. Al-haj Nasiruddin Bahadur, %—Members.  
Mr. Faiz Ahmed, —Members.

The petition dated 10.12.97 filed by the 1st party for withdrawal of the case is taken up for hearing.



Heard. The 1st party Anwara Begum, Operator, Arrow Fashion (Pvt.) Ltd., Sadarghat Road, Chittagong instituted the case seeking relief u/s 25(A) (KHA), of the Employment of Labour (Standing Orders) Act, 1965. The 1st party meanwhile filed a petition on 10.02.97 stating that both the parties have compromised the dispute outside the court. Therefore, the 1st party is not willing to proceed with the case any more. So she wants to withdraw the case.

Consulted the Ld. Members.

The prayer is allowed. Hence it is,

Ordered.

that the 1st party be permitted to withdraw the case.

Md. Abdur Rahaman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

**Complaint Case No. 69/96.**

Abul Hossain, S/o. Ayub Ali,  
Operator, Arrow Fashion Pvt. Ltd.,  
& Treasurer, Arrow Fashion Garments  
Sramik Karmachari Union, Regd. No.-  
Chatta-1110, Sadarghat Road, P.s.-  
Kotwali, Dist. Chittagong.—1st party.

Versus

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque,  
Managing Director, Arrow Fashion Pvt. Ltd.,  
Factory-82/83, Sadarghat Road, P.s. Kotwali,  
Dist. Chittagong, Head Office-Ziban Bima  
Bhavan, Jublee Raod, Pbsb Kotwali, Dist.-  
Chittagong.—2nd party.

Order No. 19, dt. 25-2-98

The court is duly constituted with the following :

Mr. Md. Abdur Rahaman Patwari,—Chairman.  
Mr. A.T.M. Nurul Alam,—Member.  
Mr. Tapan Dutta,—Members.

The petition dated 81-2-97 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Heard. Perused the petition and the case record. In the petition, it has been stated that the dispute between the parties was amicably settled outside the court and as such the 1st party does not wish to continue with the case. Therefore, the case is sought to be withdrawn.

Consulted the Ld. Members.  
The prayer is allowed. Hence it is,

**Ordered.**

that the 1st party be permitted to withdraw the case.

Md. Abdur Rahaman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

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**Complaint Case No. 70/96**

Rama Das, W/o. Samir Das, Operator,  
Arrow Fashion Pvt. Ltd., & Member, ■  
Arrow Fashion Garments Sarmik Karmachari Union,  
Regd. No. Chatta-1110, 82/83, Sadarghat Road, P.s.-  
Kotwali, Dist. Chittagong.—1st party.

**Versus**

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque,  
Managing Director, Arrow Fashion Pvt. Ltd.,  
Factory-82/83, Sadarghat Road, P.s. Kotwali,  
Dist. Chittagong, Head Office—Jiban Bima Bhaban,  
Jublee Road, P.s. Kotwali, Dist. Chittagong.—2nd party.

Order No. 15, dt. 24-2-98

The court is duly constituted with the following :

Mr. Md. Abdur Rahaman Patwari,—Chairman.  
Mr. A.T-M. Nurul Alam,—Member.  
Mr. Tapan Dutta—Member.

The petition dated 15-6-97 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Heard. Gone through the petition and the record. It has been stated in the petition that as the dispute was settled amicably out side the court, the 1st party does not intend to proceed further with the case.

Consulted the Ld. Members.

The prayer is allowed. Hence it is,

**Ordered.**

that the 1st party be permitted to withdraw the case a sought for.

Sd.

Md. Abdur Rahaman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

**Complaint Case No. 71/96**

Monju Chowdhury, S/o. Milon Chowdhury, Operator,  
Arrow Fashion Pvt. Ltd. & Member, Arrow  
Fashion Garments Sramik Karmachari Union,  
Regd. No. Chatta-1110, 82/83, Sadargha Road,  
P.s. Kotwali, Dist. Chittagong.—1st party.

**Versus**

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque,  
Managing Director, Arrow Fashion Pvt. Ltd.,  
Factory-82/83, Sadarghat Road P.s. Kotwali,  
Dist. Chittagong, Head Office-Jiban Bima Bhaban,  
Jublee Road, P.s. Kotwali, Dist. Chittagong.—2nd party.

Order No. 16, dt. 24.2.98

The court is duly constituted with the following :

Mr. Md. Abdur Rahaman Patwari,—Chairman.

Mr. A.T.M. Nurul Alam,—Member.

Mr. Tapan Dutta—Member.

The petition dated 18-6-97 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Heard. Gone through the petition and the record. It has been stated in the petition that as the dispute was settled amicably outside the court, the 1st party does not intend to proceed further with the case.

Consulted the Ld. Members.

The prayer is allowed. Hence it is,

**Ordered.**

that the 1st party be permitted to withdraw the case as sought for.

Sd,

Md. Abdur Rahaman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

**Complaint Case No. 73/96**

Ashish Chowdhury, S/o. Rabindralal Chowdhury, Helper,  
Arrow Fashion Pvt. Ltd. & Member,  
Arrow Fashion Garments Sramik Karmachari Union,  
Regd. No. Chatta-1110, 82/83, Sadarghat Road, P.s.-  
Kotwali, Dist. Chittagong.—1st party.

**Versus**

Sk. Abdul Momin Mintu, S/o. Late Abdul Khaleque, ;  
 Managing Director, Arrow Fashion Pvt. Ltd.,  
 Factory 82/83, Sadarghat Road, P.s. Kotwali,  
 Dist. Chittagong, Head Office-Ziban Bima Bhaban,  
 Jublee Road, P.s. Kotwali, Dist. Chittagong.—2nd party.

Order no. 15, dt. 24.2.98.

The court is duly constituted with the following :

Mr. Abdur Rahaman Patwari,—Chairman.  
 Mr. A.T.M. Nurul Akm,—Member.  
 Mr. Tapan Dutta—Member.

The petition dated 6.1.98 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Heard. Gone through the petition and the record. It has been stated in the petition that as the dispute was settled amicably out side the court, the 1st party does not intend to proceed further with the case.

Consulted the Ld. Members.

The prayer is allowed. Hence it is,

**Ordered**

that the 1st party be permitted to withdraw the case as sought for.

Sd.

Md. Abdur Rahaman Patwari,  
 Chairman, 1st abour Court,  
 Chittagong.

**Complaint Case No. 77/96**

Rina Barua, D/o. Raghunath Barua,  
 Operator, Arrow Fashion Pvt. Ltd.,  
 & Member, Arrow Fashion Garments Sramik  
 Karmachari Union, Regd. No. Chatta-1110,  
 82/83, Sadarghat Road, P.S. Kotwali,  
 Dist. Chittagong.—1st party.

**Versus**

Sk. Abdul Momin Mintu, S/o. Late Abdul Kaloque,  
 Managing Director, Arrow Fashion Pvt. Ltd.,  
 Factory-82/83, Sadarghat Road, P.S. Kotwali,  
 Dist. Chittagong, Head Office Ziban Bima Bhaban,  
 Jublee Raod, P.S. Kotwali, Dist. Chittagong.—2nd party.

Order No. 19, dt. 19.2.98

The court is duly constituted with the following:-

Mr. Md. Abdur Raahman Patwari—Chairman.  
Mr. A. T. M. Nurul Alam—Member.  
Mr. Tapan Dutta—Member.

The petition dated 29.6.97 filed by The 1st party for withdrawal of the case is taken up for hearing and order.

Heard. Perused the petition. In this petition. The 1st party has stated that the dispute has been settled amicably between the parties out side the court. So, she is not willing to continue with the case.

Consulted the Ld. Members. The prayer is allowed. Hence it is,

**Ordered**

that the 1st party, be permitted to withdraw the case as sought for.

Md. Abdur Rahaman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

**Complaint Case No. 82/96**

Minhaj, S/o. Abul Bosor, Helper,  
Arrow Fashion Pvt. Ltd., & Member,  
Arrow Fashion Garments Sramik Karmachari Union,  
Regd.No.Chatta-1110, 82/83, Sadarghat Road, P.S.  
Kotwali, Dist. Chittagong.—1st party.

**Versus**

Sk. Abdul Momin Mintu, S/o, Late Abdul Khaleque,  
Managing Director, Arrow Fashion Pvt. Ltd.  
Factory-82/83, Sadarghat Road, P.S. Kotwali,  
Dist. Chittagong, Head Office-Ziban Bima Bhavan,  
Jublee Road, P.S. Kotwali, Dist. Chittagong.—2nd party.

Order No. 16, dt. 24-2-98

The court is duly constituted with the following :

Mr. Abdur Rahaman Patwary—Chairman,  
Mr. A.T.M. Nurul Alam—Member,  
Mr. Tapan Dutta—Member.

The petition dated 31-12-97 filed by the 1st party for withdrawal of the case is taken up for hearing and order.

Heard. Gone through the petition and the record. It has been stated in the petition that as the dispute was settled amicably outside the court, the 1st party does not intend to proceed further with the case.

Consulted the Ld. Members.

The prayer is allowed. Hence it is,

### ORDERED

that the 1st party be permitted to withdraw the case as sought for  
Sd.

Md. Abdur Rahaman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

### Complaint Case No. 101/96

Debashish Chowdhury, Vice-President,  
Everest Chemical Industries Ltd. Sramik Karmachari Union,  
Regd. No. Chatta-1472, C/o. M/s. Khaled Store, Box No. 190,  
Zakir Hossain Road, East Nasirabad, Chittagong.—1st party.

Versus

Everest Chemical Industries Ltd.,  
256, Syed Ahmad Chowdhury Road,  
Jublee Road, Chittagong.—2nd party.

Order No. 13, dt. 23-2-98

The court is duly constituted with the following:

Mr. Md. Abdur Rahaman Patwari—Chairman.  
Mr. A.T.M. Nurul Alam—Member.  
Mr. Tapan Dutta—Member.

The 1st party neither present in the court nor takes any step. The 2nd party files hazira. The petition dated 16-6-97 filed by the 2nd party for dismissal of the case is taken up for hearing and order.

Heard. Mr. Ashish Kumar Dutta is the filing Advocate of this case and he is present before the court room. The Ld. Advocate representing the 2nd party submits that the 1st party was paid his entire dues and he got no outstanding claim now. He further submits that the 1st party granted a receipt

voluntarily on 13-1-97 in taken of receipt of his payment and he prays for  
dismissal of the case. The Ld. Advocate of the 1st party admits the con-  
tention of the 2nd party as genuine.

Consulted the Ld. Members.

The petition dated 16-06-97 is allowed.  
Hence it is,

**Ordered,**

that the case be disposed of in terms of the petition dated 16.06.97.

Sd.

Md. Abdur Rahaman Patwari,  
Chairman, 1st Labour Court,  
Chittagong.

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মোঃ আবদুল করিম সরকার (উপ-সচিব), উপ-নিয়ন্ত্রক, বাংলাদেশ সরকারী মুদ্রণালয়,  
ঢাকা কর্তৃক মুদ্রিত।

মোঃ আমিন জুবেরী আলম, উপ-নিয়ন্ত্রক, বাংলাদেশ ফরমস্ ও প্রকাশনী অফিস,  
তেজগাঁও, ঢাকা কর্তৃক প্রকাশিত।