

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT, JABALPUR

NO. CGIT/LC/C/2/2018

Present: P.K.Srivastava

H.J.S..(Retd)

Ramlakhan Singh
S/o. Late Shri S.N. Singh, Ex. Senior Foreman
Incharge, S.E.C.L. Jamuna U.G. Mine,
R/o. Ward No.-06, Jamuna Colliery
Post Jamuna Colliery, Distt.- Anuppur (MP)

Workman

Versus

The General Manager
S.E.C.L. Jamuna Kotma Area
Post Jamuna Colliery, Distt.- Anuppur (MP)

Management

(J U D G M E N T)

(Passed on this 29th day of May-2024)

The applicant workman has filed this petition U/S. 33-C(2) of the Industrial Disputes Act 1947 (in short the 'Act') for recovery of amount of transfer allowance for his transfer from Hasdev area to Baikuthpur and from Baikunthpur to Hasdev again from Jamuna Kotma to Manendragarh and from Manenedragarh to Jamuna Kotma, LTC Bill Block Year to 2003-06 total Rs. 53393/-
3 claiming himself to be entitled to recover from management.

Management, in its written objection has first alleged that the petition itself is not maintainable as is barred by delay, secondly, it is not cognizable U/S. 33-C(2) of the Act.

The applicant workman did not file any evidence nor did he prove any document filed by him. Management has also not filed any evidence.

I have heard arguments from both the sides and have gone through the record.

The primary burden to prove his claim is on applicant. He has not discharged this burden. Hence, his claim is held not proved. Furthermore, his claim is not entertainable U/S. 33-C(2) of the Act, because it is not a settled claim by way of settlement or an award. Hence, in the light of above discussion, the petition is sans merit and is dismissed. No order as to cost.

DATE:- 29/05/2024

**(P.K.SRIVASTAVA)
PRESIDING OFFICER**