

Government of India
Ministry of Labour & Employment,
Central Government Industrial Tribunal-Cum-Labour Court-II, New Delhi.

Present:

Smt. Pranita Mohanty,
Presiding Officer, C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 198/2022

Date of Passing Award- 01.12.2022

Between:

Sh. Kapil Kumar, S/o Sh. Virendra Kumar,
R/o B-240/03, Krishna Kunj, Gali No-01,
North Ghonda, New Delhi-110053.

Claimant

VERSUS

1. **Sh. Varun Gupta Marketing Manager,**
IGL Bhawan, Plot No-704, Community Centre,
Sector -09, R.K. Puram, K.D. Colony, New Delhi-110022.

2. **Antalya Enterprises,**
Through- Col. Shiraj Verma (Proprietor),
House No.1128, Sector -37,
Noida U.P. -201301.

Managements

Appearances:-

Shri Rahul Kumar
(A/R)

For the claimant

Shri Sarfaraz Ahmad
(A/R)

For the Management No.1

Shri Shiraz Verma (Proprietor)

For the Management No.2.

A W A R D

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 for 13 years as a Technician. His last drawn wage per month was

Rs. 16286/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 30.11.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he raised a dispute before the labour commissioner. But the management did not respond to the same. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 and 2 appeared. Before filing of the written statement steps were taken for conciliation of the matter and the conciliation proceeding was held during the Lok Adalat held on 12.11.2022. For the terms of conciliation the claimant agreed to withdraw the claim having no grievance for the alleged illegal termination and gave a statement to that effect which has been recorded in a separate sheet attached to this record.

The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

Presiding Officer.
CGIT-Cum-Labour Court.
1st December, 2022.

Presiding Officer.
CGIT-cum-Labour Court.
1st December, 2022.