

**BEFORE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT NO-II, NEW DELHI**

**I.D. No. 24/2021**

**Sh. Rahul, S/o Sh. Rajender,**

Through- Rashtriya General Mazdoor Union,  
B-239, Karampura, New Delhi-110015.

Versus

- 1. Delhi International Airport Pvt. Ltd. (DIAL)**  
New Udaan Bhawan, Opp. Terminal-3, IGI Airport,  
New Delhi-110037.
  
- 2. Tenon Facility Management India Pvt. Ltd.**  
C/o Delhi International Airport Pvt. Ltd. (DIAL)  
New Udaan Bhawan, Opp. Terminal-3, IGI Airport,  
New Delhi-110037.

**AWARD**

This is an application of U/S 2A of the **Industrial Disputes Act (here in after referred as an Act)**. Claimant had stated in his claim statement that he was appointed by the management-2 on the post of Sweeper on May 2015 and his last drawn wages was Rs. 14,508/- per month. The management-2 did not issue any appointment letter to him. He was deputed in the management-1 by the management-2. He had been doing his work with diligently. The record of the workman was well satisfactory and he did not give any chance of complaint to the managements. Management-2 used to take work 12 hours per day to the workman, but did not pay any overtime wages to him. Management-2 did not issue any appointment letter, leave book, minimum wages, causal leave, Pay slip, HRA etc. to him. Workman used to demand to the management no.-1 and 2 to provide the above said facilities, the managements gave assurance to him that he will provide all the legal facilities to him very soon, but they did not provide the same.

Managements have started to get-rid to workman, but failed on 27.08.2019 when the workman had demanded his earned wages for the month of July 2019 to management-2, but management-2 did not pay the said wages to him. On the same day on 27.08.2019, without any rhyme and reason, management-2 had illegally terminated to the workman from his services on the direction of management-1. On 13.01.2020 the workman had filed a complaint before the Assist, Labour Commissioner (Central), Jeewan Deep Building, Delhi. The Labour Commissioner had called managements in his office, but, no result was yielded. Hence he has filed the claim.

Management-1 had appeared and filed the WS. Management-2 was proceeded ex-parte vide order dated 02.11.2022. Management-1 submitted that workman has himself admitted to the fact that he has been appointed by management-2 and has also stated that that management-2 used to pay wages to him. He submits that claim of the claimant is not maintainable and is liable to be dismissed.

After completion of the pleadings, following issues have been framed vide order dated 08.02.2024 i.e.-

1. Whether the services of the workman are illegally terminated. (OPW)
2. Relief.

Now, the matter is listed for evidence of the workman. Claimant is asked to prove his case. However, despite providing a number of opportunities, claimant has not turned up to prove his claim. His claim stands dismissed. Award is passed accordingly. A copy of this award is sent to the appropriate government for notification as required under section 17 of the ID act 1947. File is consigned to record room.

**ATUL KUMAR GARG**

Presiding Officer.

CGIT-cum- Labour Court-II

Date 04<sup>th</sup>, July, 2024