

**SH. ATUL KUMAR GARG, PRESIDING OFFICER, CENTRAL
GOV. INDUSTRIAL-TRIBUNAL CUM – LABOUR COURT NO
II, NEW DELHI**

I.D. No.52/2021

Sh. Pramod Kumar & 127 Others,

Through - Hindustan Engineering & General Mazdoor Union,
Head Office: D-2/24, Sultanpuri, Delhi-110086.

Branch Office: A-193, Karampura, New Delhi-110015.

VERSUS

- 1. Delhi International Airport Pvt. Ltd.,**
New UdaanBhawan, Opp. Terminal-3, IGI Airport,

New Delhi-110037.
- 2. Nimbus Harbour Facility Management Pvt. Ltd.,**
E-305, Sushant Shopping Arcade, SushantLok -01,
Gurgaon-122009.
- 3. Tenon Facility Management India Pvt. Ltd.,**
Plot No.13, Sector -18, Electric Gurgaon Haryana,
- 4. C.L.R.Facility Services Pvt. Ltd.**
Ansal Part -01, B-219, 2nd Floor, Bhikaji Cama Place,
Bhikaji Cama Place, New Delhi-110066.

AWARD

This is an application of 33A of the I.D Act filed by one hundred twenty-eight workmen stating that their services have been terminated by management-1 & 2, while their case for regularization has been pending before this tribunal. It is further their case that management-1 & 2 had stated after calling them on duty on 01.03.2021 their services

would be terminated with affect of 31.03.2021 because both management had decided that they will take the worker through contractor. As such they had made prayer that their termination of services as declared illegal and they will be reinstated with job till the pendency of their dispute.

Respondent-1 denied each and every fact mentioned in the claim statement. He submitted that management is not necessary party to the alleged dispute filed by the claimant. There is no privity of contract between the management/respondent and the workman. Government of India introduced the policy for privatization of the airports operated and running by AAI consequent upon the same, respondent/management also participated in the process and on the basis of which its bid was sold. Pursuing to the above mentioned facts, an agreement known as operation management and development agreement was entered between the AAI and the respondent on 04.04.2006. Respondent has assigned the contract work to the respondent 2, 3 & 4 respectively. Respondent-2, 3 & 4 have not appeared and they were proceeded ex-parte vide order dated 31.10.2022. On the day issues have been framed. Claimants were asked to examine the witness. However, inspite of providing three opportunities nobody appeared on behalf of claimant to substantiate their claim. It means that claimant are not interested to pursuing their claim. Hence, their claim is resulted into failure.

In these circumstances, claims of the claimants stand dismissed. Award is passed accordingly. File is consigned to the record room. A copy of this award is hereby sent to the appropriate government for notification under section 17 of the I.D Act 1947.

Dated: 04.12.2023

ATUL KUMAR GARG
Presiding Officer
CGIT – cum – Labour Court - II