

Government of India  
Ministry of Labour & Employment,  
Central Government Industrial Tribunal –Cum- Labour Court-II, New Delhi  
Present: Smt. Pranita Mohanty

ID.NO.62/2022

Shri Chanderpal Singh S/o Sh. Pal Singh,  
Through Delhi Karamchari Sangh (Regd.)  
Main Office-W4, In front of Kalkaji bus Depo,  
Govindpuri, New Delhi-110019.

.....Workman

Versus

1.M/s ERCON International Ltd.,  
C-4, Dsitric Centre, Saket,  
New Delhi-110017.

2.M/s CMM Infra techer Ltd. (Surya Intra)  
Sector-32, Plot No. 16,  
Gurgaon, (Haryana ) -122001.

.....Managements

**AWARD**

In the present case, a reference was received from the appropriate Government vide reference no. L-42011/186/2021(IR(DU)) dated 7.2.2022 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether action of the management of Ms/ CMM Infra Techer Limited (Surya Infra), Gurugram, a contractor under M/s ERCON International Ltd., New Delhi in terminating the services of Shri Pal Singh w.e.f 30.06.20218 as raised by Delhi Karamchari Sangh( Regd.), New Delhi vide letter dated 27.12.2018 is proper, legal and justified? If not, to what relief the disputant worker is entitled and what other directions are necessary in this respect?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, Claimant union opted not to file the claim statement with the Tribunal.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the managements, this Tribunal is left with no choice, except to pass a 'No Dispute/Claim' award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

Presiding Officer  
CGIT-cum Labour Court II,  
Rouse Avenue,  
Delhi-110002.

Date: 5<sup>th</sup> August, 2022.