

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

ID No. 264/2022

Sh. Krishnamurthy vs. Tamilnadu House

Sh. Krishna Murthy, S/o Sh. P. Manickam,
R/o- Annasireni Street, Venkatamuthram Post, Pappiredypatti
Taluk Dharmapuri District, Tamilnadu.

...Applicant/Claimant

Versus

The Secretary, Tamil Nadu House,
No.06, Kautilya Marg, Chanakyapuri,
New Delhi-110021.

...Management/respondent

Counsels:

For Applicant/ Claimant:

None for the claimant.

For Management/ Respondent:

Sh. Akshay Sahai, Ld. AR.

Award
06.02.2025

The present petition is an application filed U/s 2-A of Industrial Disputes Act, 1947 (**Herein after referred as ‘the act’**). The claimant in his claim statement submits that he was a housekeeping staff working with the management which is a government body that deals with delegations visiting Delhi.

He asserts that he had been working for the management for several years along with other employees.

2. The dispute arose after the claimant met with an accident in June 2021, resulting in a serious injury that required five months of medical rest. Despite informing the management through written communications in October and November 2021 about his condition and intent to resume his work, he received no response. Later, he discovered that he had been removed from employment without any prior notice or intimation.

3. The claimant lastly submitted that his termination was illegal, as he had been working continuously for ten years without any disciplinary charges. He seeks reinstatement to his previous job and compensation for litigation expenses.

4. Subsequently, the management filed its W.S. whereby it submitted that the claimant's petition is based on false claims and misrepresentation of facts. It raised various preliminary objections which are as follows:

- **No Employment Relationship** – The claimant was never a regular employee but only worked on a casual basis when needed. Therefore, his demand for reinstatement is legally invalid.
- **Demolition of Workplace** – The Vaigai Tamil Nadu House building, where the claimant worked, is scheduled for demolition, and operations are shifting to another location, reducing staff requirements.

- **No Illegal Termination** – The claimant was not removed from employment since he was never a permanent employee. His allegations of wrongful termination lack merit.
- **Medical Condition Not Relevant** – The claimant's reference to an accident in 2021 is irrelevant as it does not establish any legal employment rights. His request for leave and subsequent correspondence do not prove continuous employment.
- **No Legal Right Established** – The claimant relies on letters and representations that do not create any binding obligation on the management.
- **Management is not an Industry** – The management argues that it does not qualify as an "Industry" under Section 2(j) of the Industrial Disputes Act, further weakening the claimant's case. Lastly, the management prayed for the dismissal of present claim.

5. Thereafter, the claimant was required to file his rejoinder. However, despite being given a number of opportunities, he didn't appear to file the same. Consequently, his right to file the same was closed and the issues were framed. The claimant was then directed to adduce his evidence but he has remained absent.

In light of the fact that the claimant has not been appearing to pursue his claim, the same stands dismissed. The award is passed accordingly. A copy of this award is sent

to appropriate government for notification under section 17 of the I.D. Act. The file is consigned to record room.

Dated 06.02.2025

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