

**BEFORE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL – CUM – LABOUR COURT-II, NEW DELHI**

I.D. NO. 221/2022

Sh. Ram Raj, S/o Late Sh. Mangru Prasad,
R/o- House NO. N-30, C-390, H-04, Jhuggi,
Jahangir Pur, Azad Pur, Delhi-110033.

VERSUS

1. The Commissioner,

North Delhi Municipal Corporation,
4th Floor, Dr. S.P. Mukherjee Civic Centre,
J.L. Nehru Marg, New Delhi-110002.

2. Delhi M.S.W. Solution Ltd.,

MCD Workshop, Near P.S. Model Town,
Phase-01, New Delhi-110009.

AWARD

This is an application 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 working with the Management No.-2 under the supervision of Management No.-1 as the Management No.-2 is the contractor and Management No.-2 works for the Management No.-1. He was working with the management no.-2 at the post of **Machine Helper** since 15.09.2018 and his last drawn salary was Rs. 8,000/- p.m. He had been working sincerely with the managements and no point of time during the service period; he had

never given any chance of complaint in any manner to the managements. Management No. 2 was not providing the legal facilities as prescribed by the Delhi Govt. However, the management no. 2 was deducting the share from the salary of the workman in the name of ESI & PF but the managements have not provided ESI facilities and other facilities to the workman. When the workman demanded the same, managements became annoyed and in this process, the services of the workman were illegally terminated by the management no. 2 on 16.11.2019 without any notice, charge sheet and holding the domestic enquiry against the workman. Workman through his union sent a demand notice dated 28.11.2019 to all the managements by speed post but managements had not replied the demand notice despite receipt of the same. On 10.12.2019, he has gone to the conciliation officer, but, no result was yielded. The conciliation officer had issued a certificate of proceedings dated 11.10.2021 to the workman. Hence, he has filed the present claim.

Management-1 and Management-2 were proceeded ex-parte on 16.03.2023. On 29.04.2024, the ex-parte order against management no. 2 was set aside at his request with the cost of Rs. 1000/-. He had filed the WS denying the averment made in the claim of the claimant. He submitted that claim is not maintainable and is liable to be dismissed.

Now, the matter is listed for filing of rejoinder against M-2 but, neither the claimant nor his AR is appearing since long. Notice was issued to the workman but, still he has not appeared.

In these circumstances, when the workman is not interested in pursuing his claim, this tribunal has no option except to pass the no dispute award. Hence, no dispute award is passed. Award is passed

accordingly. A copy of this award is hereby sent to the appropriate government for notification under section 17 of the I.D Act 1947.

Date: 07.01.2025

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