

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

ID.NO.194/2020

Shri Ramakant Shukla, S/o Shri Raju Press Wala,  
TA -57, Uttam Nagar, New Delhi-110059.

.....Workman

Versus

1. The Chief Security Officer,  
All India Institute of Medical Science (A.I.I.M.S)  
Ansari Nagar, New Delhi-110029.
2. Bombay Intelligence Services India Ltd.,  
B-295, C.R Park, Nehru Place, New Delhi-110019.

.....Managements.

**AWARD**

In the present case, a reference was received from the appropriate Government vide file no. ND. 96(16)2020-ID-FOC-DY-CLC dated 21.12.2020 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 the services of the workmen Sh. Ramakant Shukla has been terminated illegally and unjustifiably by the managements or he has abandoned the job and to what relief are the said workmen entitled and what direction are necessary in this regard ?”

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 opted not to file the claim statement.

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 management, 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: 7<sup>th</sup> Nov., 2022