

Government of India
Ministry of Labour & Employment,
Central Government Industrial Tribunal-Cum-Labour Court-II, New Delhi.

Present:

Smt. Pranita Mohanty,
Presiding Officer, C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 239/2021

Date of Passing Award- 07.12.2022

Between:

Sh. Narender Kumar Tyagi, S/o Sh. Vijay Prakash Tyagi,
R/o-A-02/272, Gali No.02, Harijan Basti,
East Gokulpur, Delhi-110094.

Claimant

VERSUS

**1. The Medical Superintendent,
Indira Gandhi Employees' State Insurance Corporation Hospital,
Jhilmil Colony, Delhi-110095.**

**2. 3573, Balaji Kumar Panda Security Agency,
Shop No.G-30, Block-C-6B, Vikas Surya Plaza,
DDA Commercial Complex, Janakpuri,
New Delhi-110058.**

Managements

Appearances:-

Claimant in person

For the claimant

(A/R)

Shri Rohit Bhagat

For the Management No.1

None for the management No.2

For the Management No.2.

(A/R)

A W A R D

This is an application filed by the claimant against the management No.1 and 2 alleging illegal termination of his service.

In the claim petition it has been stated that he was working in the premises of management No.1 through the service provider management No.2 since 10.12.2016 as a Security Guard. His last drawn wage per

month was Rs. 14,000/-. The management was not extending the benefits of leave, PF, ESI etc to the claimant despite demand. No appointment letter or salary slip was even provided by the employer. Thus, the claimant was often demanding those legitimate entitlements. The management instead of extending the benefit to him, on 01.04.2019 illegally terminated his service and at the time of termination no notice of termination, notice pay, or termination compensation was paid. The efforts made by the claimants for reinstatement and grant of legitimate dues since failed he served a demand notice on 18.06.2019 through the union. But the management did not respond to the same. Finding no other way he, on 10.07.2019 raised a dispute before the Labour Commissioner where a conciliation proceeding was initiated. The managements though appeared did not agree to the terms of conciliation. Thus, the claimant filed the present claim petition praying reinstatement with back wages.

Notice being served the management No.1 appeared and filed written statement denying the claim advanced by the claimant. Management No.2 for his absence was proceeded exparte.

Before commencement of the hearing steps were taken for a conciliation between the claimant and the management No.1. The terms of conciliation proposed by the claimant since accepted, the claimant gave a statement to the effect that he has no grievance with regard to the termination of his service and he does not proceed with the matter and requested for disposal of the proceeding as he has no claim against the management. The statement of the claimant as per separate sheet is recorded and attached in the record. The proceeding is disposed of on conciliation as the claimant has disowned the claim against both the managements. Hence, ordered.

ORDER

The claim be and the same is disposed of for the no claim advanced by the claimant against the managements in respect of the alleged illegal termination of service. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

Presiding Officer.
CGIT-Cum-Labour Court.
7th December, 2022.

Presiding Officer.
CGIT-cum-Labour Court.
7th December, 2022.