

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

I.D. NO. 90/2022

Sh. Sunil Kumar S/o Sh. Charan Singh,
R/o- House No. A-1/91, Street No. 01,
East Gokulpur, Delhi-110094.

I.D. NO. 91/2022

Sh. Subham, S/o Sh. Chetan,
R/o- A-224, MB Road Lal Kuan,
Badarpur, New Delhi-110044.

I.D. NO. 92/2022

Sh. Akhilesh Kumar Ram, S/o Sh. Shivnath Ram,
R/o- Sham Pur, Saran, Bihar-841411.

Through- Indian National Migrant Worker's Union,
1770/8, 3rd Floor, Govind Puri Extn. Main Road, Kalkaji,
New Delhi-110019.

VERSUS

1. **The Director, ESIC Hospital, Okhla,**
Okhla Phase-I, New Delhi-110020.
2. **The Director, Everrest Human Resource Consultant,**
02, RZF-01/382, Mahavir Enclave, Part-01,
Behind Bhagat Chandra Hospital, Palam Dabri Road,
New Delhi-110045.
3. **Green Housekeeping,**
Through- Mitlesh Kumar, D-01/102, Street No. 03,
Ashok Nagar, Near MIG Flat, New Delhi-110093.

AWARD
09.12.2025

1. By this composite order, I shall dispose of these three applications of U/S 2A of the **Industrial Disputes Act (herein after referred to as “the Act”)** filed by the different claimants against the same respondents, because of having the common respondents and same cause of action, these cases are taken together for their illegal termination. Claims of the workmen are that they have been serving the management-1 through management-2 & 3. Name and particular of their employment are given below-

Sr. no	Name	Post	Dates of Joining	Dates of Termination	Last drawn Salary
1	Sunil Kumar	Dresser	24.10.2018	28.02.2021	12,000/-
2	Subham	Ward Boy	03.11.2017	28.02.2021	11,000/-
3	Akhilesh Kumar Ram	Ward Boy	30.10.2018	28.02.2021	11,000/-

2. They had been doing their work with diligently and honestly. Their service records are clean and they have not given any complaint so far. The employers had made the claimants' signs on many blank papers, blank vouchers, blank agreement letters and blank appointment letters at the time of appointment during the service but did not give a copy of the same to the claimants. During the services, management never provided legal facilities like Appointment letter, wages slip, leave book, attendance card, annual and festival holidays, ESI & PF etc. When the claimants demanded all the above mentioned legal benefits, the employer immediately became angry and in a spirit of revenge, without paying the earned salary to the workmen from 01.02.2021 to 27.02.2021 respectively, without prior notice, without any notice charge sheet, without any rhyme and reason, claimants were illegally terminated by the management on 28.02.2021. They had gone to the conciliation officer, but, no results were yielded. Hence, they have filed the present claims.

3. Management no. 1 and Management no. 3 have filed their respective W.S, denying the averments made in their claim statements. They have submitted that claims are liable to be dismissed.

4. Management no. 2 has already been proceeded ex-parte vide order dated 11.10.2022.

5. After completion of the pleadings, following identical issues in all cases have been framed vide order dated 05.10.2023 i.e.-

1. Whether the proceeding is maintainable.
2. Whether there exist employer and employee relationship between the management and the claimant.
3. Whether service of the claimant was illegally terminated and if so, by whom.
4. To what relief, the claimant is entitled to.

6. Now, these matters are listed for workman evidence. AR of the claimants **Sh. Vishwambar Nayak** had submitted that he is not able to contact the claimants, and has requested to dismiss these cases.

7. In view of the above submission, these matters stand dismissed for want of prosecution. Awards are passed accordingly. A copy of this award is sent to the appropriate government for notification as required under section 17 of the I.D Act, 1947. Records of these files are consigned to record room. A copy of this award is placed in each of the file.

Date: 09.12.2025

ATUL KUMAR GARG
Presiding Officer
CGIT-Cum-Labour Court-II