

**SH. ATUL KUMAR GARG, PRESIDING OFFICER, CENTRAL GOV.  
INDUSTRIAL-TRIBUNAL CUM – LABOUR COURT NO II, NEW  
DELHI**

**I.D. No. 16/2018**

**Sh. Rohit Kumar, S/o Sh. Satya Narayan Keshari,  
Through Audhyogik Krantikari Karamchari Union (Regd.)  
F- 308, Karampura, New Delhi- 110015.**

**VERSUS**

M/s. Kotak Mahindra Bank Limited  
F-19/12, Sector-08, Rohini, Delhi- 110085.

**AWARD**

This is the claim filed by the workman U/S 2A(2) of the I.D Act against their illegal termination. As per workman he was working with the management as sales person, but, the management has given him the designation of Deputy Manager Sales. He has been working with the management since 18.06.2016 at the last drawn wages of 23,000/- per month. Till his termination he used to work sincerely and honestly. When the workman has demanded his earned wages for the month of April 2017, management had terminated him on 18.05.2017. His termination was illegal in violation of Industrial law.

Respondent had appeared and filed the objection. First of all management had taken the objection that the claimant has not given within the definition of workman as such the claimant is not

maintainable. Moreover this tribunal has no territorial jurisdiction, since the management and the workman is agreed through contract employment, there jurisdiction is in Mumbai court. Management denied that the workman is diligent worker he has not shown any improvement, despite, giving the several opportunities in this regard and this has been reflected to the E-mail sent to him in this regard.

Issues have been framed vide order dated 14.12.2018. Workman is asked to examine the witness in support of his claim.

It Reflected from the record, inspite of several opportunities given to the workman since 2019, workman has not examined any witness, rather than after closing his evidence, management has examined one Nagendra Prasad.

In the absence of any witness examined by the workman to prove his claim, claim of the workman is resulted into failure. Claim of the claimant stands dismissed. Award is accordingly passed. A copy of this award is sent to the appropriate government for notification as required U/S 17 of the ID Act 1947. File is consigned to record room.

**12/02/2024**

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