

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

**ID.NO. 170/2020**

Sh. Manoj Kumar S/o Sh. Rakesh Kumar,  
Through Shramjivi Vikas Union,  
Branch C-152, Gali No. 36, Mahavir Enclave,  
Part-3, New Delhi-110055.

.....Workman

**Versus**

1. Manekshaw Centre,  
Khyber Lines Delhi Cantonment,  
Army Base, New Delhi-110010.

2. Sunshine Enterprises,  
49, Ground Floor, Sant Nagar ,  
East Of Kailash , New Delhi-110065.

3. ESF Securitas,  
Shop no. RTF-12, Royal Tower, Shipra Suncity,  
Indirapuram, Ghaziabad-201014.

.....Managements.

**AWARD**

In the present case, a reference was received from the appropriate Government vide reference no. L-42012/15/2020 IR(DU) New Delhi dated 15.09.2020 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 demand of the workman Sh. Manoj Kumar S/o Sh. Rakesh Kumar as raised through Shramjivi Vikas Union vide letter dated 07.09.2017 that his services have been terminated w.e.f 17.06.2017 by the management of M/s Sunshine

enterprises and if yes, to what relief is he entitled and what other directions , if any, 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.

15<sup>th</sup> March, 2023

Presiding Officer  
CGIT-cum Labour Court II,  
Rouse Avenue,  
Delhi-110002