

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

I.D. NO. 137/2019

Sh. Ram Snehi, S/o Sh. Lakshmi Narayan,
R/o-F-67, Vishwas Park, Uttam Nagar,
New Delhi-110059.

I.D. NO. 140/2019

Sh. Jitender Kumar Singh, S/o Sh. Surya Singh,
R/o- House No.-29, Gali No. 24, Baprola Vihar,
DC Nangli Sakrawati, Najafgarh, New Delhi-110043.

I.D. NO. 141/2019

Sh. Pramod Kumar Yadav, S/o Sh. Jagraj Singh,,
R/- RZ- 20B/193, Gali No. 13, Durga Park, Palam Village,
New Delhi-110045.

I.D. NO. 142/2019

Sh. Lal Mani Gupta, S/o Sh. Ram Nihor Gupta,
R/o- RZ-J-216/2, Plot No. 33, West Sagarpur, Nangal Raya.
South West Delhi,-Delhi-110046.

VERSUS

1. The Branch Manager, State Bank of India,
ATMS, Regional H.O.- SBI, 3rd Floor, Parliament Street,
New Delhi-110001.

2.C.I.S. Bureau Facility Services Pvt. Ltd.,
C-117, 2nd Floor Mayapuri Industrial Area, Phase-II,
New Delhi-110064.

AWARD

1. By this composite order, I shall dispose of these four applications of U/S 2A of the **Industrial Disputes Act (here in after referred as an '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. Name and particular of their employment are given below-

List of Workmen

Sr. no	Name	Post	Dates of Joining	Dates of Termination	Last drawn Salary
1	Lal Mani Gupta	Security Guard	03.03.2014	01.06.2018	12,020/-
2	Pramod Yadav	Security Guard	03.03.2014	01.06.2018	12,020/-
3	Ram Snehi	Security Guard	03.03.2014	01.06.2018	12,020/-
4.	Jitender Kumar	Security Guard	24.03.2014	01.06.2018	12,020/-

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. During the services, management never provided legal facilities like

Increment money, Leave money, Bonus and ESI card facility, weekly leave etc. which the workmen had been demanding verbally. Due to this the employer immediately became angry and in a spirit of revenge, without prior notice, without paying sum compensation and by making their signs on some blank papers, claimants were terminated by the management on 01.06.2018 which is illegal and improper and is a violation of law U/s 25 (G) and (F) of the ID Act. They had gone to the conciliation officer, but, no results were yielded. Hence, they have filed the present claims.

3. W.S has been filed by the respondent-1, stating that M-1 neither appointed nor had terminated the services of the workmen. It is submitted that M-1 had no direct control as they worked under direct control and supervision of M-2, therefore, the present claims, being devoid of merits deserves to be dismissed.

4. Management-2 has also filed its WS. They had denied the averment made in their claim statements. M-2 submitted stated that claims of the claimants are not maintainable and is liable to be dismissed.

5. After completion of the pleadings, following identical issues in all cases have been framed vide order dated 23.10.2019 i.e.-

1. If the proceeding is maintainable.
2. Whether there exists relationship of employer and employee between State Bank of India – M1 and workmen.

3. Whether the workmen were employed by M-2.
4. Whether the service of the workmen were illegal terminated.
5. To what relief the workmen are entitled to.

6. Now, these matters are listed for workmen evidence. AR of the claimants **Sh. Sunil Saha** submitted that workmen are not in touch with him.

7. In these circumstances, when claimants have not been appearing since long to substantiate their claims, it appears that they are not interested in pursuing their cases. Their claims stand dismissed. Awards are passed accordingly. A copy of this award is sent to the appropriate government for notification as required under section 17 of the ID act 1947. These files are consigned to record room. A copy of this award is placed in each of the file.

Date- 15.05.2025

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