

**BEFORE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT NO-II, NEW DELHI**

I.D. No. 154/2019

Sh. Rajesh, S/o Sh. Om Prakash,

R/o- K-5/95, Mohan Garden, Uttam Nagar, New Delhi-110059.

I.D. No. 155/2019

Sh. Sanjeet Kumar, S/o Sh. Ram Pratap Mehto,

R/o- Chiaiya, Thana-Sahiyana, District-Sitamani, Bihar-845415.

I.D. No. 156/2019

Md. Ashraf, S/o Rasheed Ahmad,

R/o-324, Dhampur, Pipalsana, Bijnor, Uttar Pradesh-246761.

Through- Industrial Workers Union,

F-328, Gali No. 22, Sadhnagar-II, Palam Colony,

New Delhi-110045.

Versus

1. 226 Coy ASC (Sup),

Prakesh-G, Type-G, Delhi Cantt., New Delhi-110010.

2. Ram Singh Kadiyan Security Agency.

Prakesh-G, Type-G, Delhi Cantt., New Delhi-110010,

Counsels:

For Claimant: None

For Respondent: Sh. Atul Bhardwaj, Ld. AR.

AWARD

By this composite order, I shall dispose of these three 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	Father's Name	Post	Dates of Joining	Dates of Termination	Last Drawn Salary
1	Ashraf	Rasheed Ahmed	Barber	02.08.2012	15.11.2017	Rs. 11,500/-
2	Rajesh	Om Prakash	Washerman	02.07.2008	15.11.2017	Rs. 11,500/-
3	Sanjeet Kumar	Nand Kr. Shrivastava	Cook	01.06.1996	15.11.2017	Rs. 11,500/-

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 had not provided any legal facilities i.e. Pay Slip, Leave Book, bonus, overtime salary, weekly and events holidays etc. Management got annoyed with the demands raised by the claimants had thrown them out from the service of the management on 15.11.2017. They had sent the demand notice to the management on 27.11.2017 through speed post to take back their services but management never replied. They had sent the complaint to the labor commissioner, but, it has resulted into failure. Hence, they have filed the present claims.

W.S has been filed by the respondent-1. Management-2 was proceeded ex-parte vide order dated 06.04.2021. Management-1 had denied the averment made in the claims. He had submitted that their claims are liable to be dismissed.

After completion of the pleadings, following issues have been framed vide order dated 15.09.2021 i.e.-

1. Whether the proceeding is maintainable.

2. Whether there exist employer and employee relationship between the management-1 and the claimant.
3. Whether the claimant was appointed in the premises of Management-1 by the Security Agency respondent-2.
4. Whether the service of the claimant was illegally terminated by the management-1.
5. To what relief the claimant is entitled to.

Now, the matters are listed for workman evidence. On behalf of management-1, **Sh. Atul Bhardwaaj** appeared. Claimants have not brought any evidence i.e documents and oral to substantiate their claims, inspite of providing a number of opportunities.

In these circumstances, when the claimants have not been appearing since long to substantiate their claims, it appears that they are not interested to pursue 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. File is consigned to record room.

Date- 22.07.2024

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