

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

I.D. No. 282/2021

Sh. Ranjeet Singh, S/o Late Sh. Iqbal Singh,
R/o 24-C, Deep Enclave, Vikas Nagar,
New Delhi-110059.

Versus

- 1. The Director of Intelligence Bureau,
Ministry of Home Affairs, Govt. Of India,**
35, Sardar Patel Marg, New Delhi-110021.
- 2. J.S. Fabrication,**
RZ-456316, Gali No. 07, Gitanjali Park,
West Sagarpur, New Delhi-110046.
- 3. J.M.D. Enterprises,**
RZ-411-A/318, Gali No.- 07, Gitanjali Park,
West Sagarpur, New Delhi-110046.

Counsels:

For Claimant: None

For Respondent: None for M-1

Sh. Shrikant Lakhera, Ld. AR for M-2 & 3

AWARD

By this composite order, I shall dispose of this application of U/S 2A of the **Industrial Disputes Act (here in after referred as an Act)** filed by the claimant against the respondents, for his illegal termination. Claim of the workman is that he has been serving the management-1 through management-2 & 3 since 01.05.2001 at the post of Book Binder

at the last drawn salary of Rs. 15,000/- per month. Management-2 & 3 are contractors as defined U/s 2 (c) of the contract labour (Regulation and Abolition) Act, 1970 and the management-1 used to award contracts for purpose of Book Bindings to the respondent- 2 & 3 from time to time. Being the family business, both the management-2 & 3 are government contractors and engaged in the business of Book Bindings since long. He submitted that sometime management-2 obtained contract for book bindings from the management-1 or in alternatively the management-3 used to obtain contract from the management-1, whereas he used to perform duties for both the management simultaneously. No appointment letter was issued to him by the managements. During the period from 01.06.2019 to 07.05.2020, workman successfully bounded 10,926 books which costs to Rs. 3,82,410/- @ Rs. 35/- per book, but the management denied to release the same, however to persistent demands on the part of workman, the management-2 had made part payment to the extent of Rs. 47,445/- in four installments whereas remaining Rs. 3,34,965/- being withheld without any cogent reason. On 08.05.2020, when the workman reported for duties, he was denied the entry by the management-1. On the same day he was terminated from his service. He had worked from 08.05.2020 to 01.05.2021 continuously with the entire satisfaction of his superiors, as such he rendered more than 240 days. The termination without complying the provisions of Section 25F of the I.D Act. He felt aggrieved by the wrongful termination, the workman sent a demand notice on 26.08.2020 under speed post which was received by the management-2, but failed to respond the same. He had filed complaint against the management-2 & 3 before labour department, Hari Nagar, Delhi and also initiated conciliation proceedings, but, it has resulted into failure. Hence, he filed the present claim with the prayer to direct the management-2 to reinstate him back on duty along with full back wages and consequential benefits.

W.S has been filed by the respondent-1, 2 & 3. They had denied the averment made in the claims. They have submitted that this claim is liable to be dismissed.

After completion of the pleadings, following issues have been framed vide order dated 04.07.2022 i.e.-

1. Whether the proceeding is maintainable.
2. Whether there exist employer and employee relationship between respondent no. 1 and the claimant.
3. Whether the service of the claimant was illegally terminated by management no. 2 without following the procedure of ID Act and without complying the provisions of Section 25 F of the Act.
4. Whether the claimant is entitled to the relief of reinstatement into service.

Now, the matter is listed for workman evidence. None appeared on behalf of management-1. On behalf of management-2 & 3 **Sh. Shrikant Lakhera appered**. Claimant has not brought any evidence i.e documents and oral to substantiate his claim, inspite of providing a number of opportunities.

In these circumstances, when the claimant has not been appearing since long to substantiate his claim, it appears that he is not interested to pursue his case. His claim stands dismissed. Award is 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.

ATUL KUMAR GARG

Date- 22/07/2024

Presiding Officer.

CGIT-cum- Labour Court-II