

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

**I.D. No. 06/2023**

**Sh. Anil, S/o Sh. Prakash Chand,**

**R/o- House No. D-27/12, East Gokalpur, Delhi-110094.**

Versus

- 1. The Secretary,  
Institute of Chartered Accountants of India,  
ICAI Bhawan, Indraprastha Marg, New Delhi-110002.**
- 2. MAFOI/Ranstad Management Consultant Pvt. Ltd.,  
Building No. 09, Tower-A, 2<sup>nd</sup> Floor, DLF Cybercity,  
Gurgaon-122002.**
- 3. Bedi & Bedi Associates,  
F-34, 1<sup>st</sup> Floor, Desh Bandhu Gupta Market,  
Karol Bagh, Delhi-110005.**
- 4. CRUX Management Services Pvt. Ltd.,  
No. 410, Life Style Building, 4<sup>th</sup> Floor,  
My Home Tycoon, Kundan-Bagh, Begumpet,  
Hyderabad-500106.**
- 5. Sybex Support Services Pvt. Ltd.  
(Formerly Known as Sybex Computer System Pvt. Ltd.)  
A-39, Basement, Dayanand Colony, Lajpat Nagar-IV,  
New Delhi-110024.**
- 6. M4 Solutions Pvt. Ltd.  
SCO-33, Sector-15, Part-I,**

Huda Market, Gurgaon-122001.

**AWARD**  
**22.07.2025**

This is an application **U/S 2A of the Industrial Disputes Act (here in after is referred as an Act)** filed by the claimant stating that he was working with the management as Peon w.e.f. 16.11.2011 and his last drawn salary was Rs. 18,462/- per month. He was sincere and hardworking. There has been no complaint against him during his tenure and received appreciations on several occasions from the management. His services were illegally terminated on 01.09.2019. He has stated in his claim that he had been regularly working in the premises of the management no. 1. His performances were reviewed at regular intervals by the officials of management no. 1 and his salary enhancements were recommended by the officials of management no. 1 and were approved by the higher echelon of the management no. 1. There is no meddling and no interference from the contractors during the tenure of the workman with the management no. 1. But for record purpose, the salaries of the workman were being shown to have been paid by the contractors. As such, a sham contract was created to deny the employer-employee relationship between management no. 1 and the workman. When he reported for his duty, he was informed by the contractor i.e. M-4 Solutions Pvt. Ltd. that his services were terminated w.e.f. 01.09.2019. He has gone to the conciliation, but, it was resulted into failure. Hence, he filed the present claim with the prayer that he be reinstated with full back wages.

Management no. 1 has filed its WS. They have denied the averment made in the statement of claim. They submitted that management no. 1 is a statutory body set up by an act of parliament namely the Chartered Accountants Act, 1949 to regulate the profession of Chartered Accountants under the ministry of corporate affairs, Government of India. They also submitted that claim is not maintainable and liable to be dismissed.

Management no. 2, 4, 5 & 6 were already proceeded ex-parte vide order dated 13.03.2024.

After completion of the pleadings vide order dated 16.05.2024, following issues have been framed i.e.:-

- (i) Whether there exist any employee and employer relationship between workman and management no. 1.
- (ii) Whether services of workman is terminated illegally and is unjustifiable and by whom. (OPW)
- (iii) Relief, if any.

Now, the matter is listed for filing of affidavit of evidence of the workman. AR for the workman submitted that workman is not in touch with him since long.

In these circumstances, when the claimant is not interested in perusing his case, this Tribunal has no option but to dismiss his claim. Hence, his claim stands dismissed. Award is accordingly passed. A copy of this award is sent to appropriate government for notification under section 17 of the I.D. Act. Record of this file is consigned to record room.

Date: 22.07.2025

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