

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

**I.D. NO. 300/2022**

**Sh. Brij Lal, S/o Sh. Dih Mehta,**

Through-Authorised Representative- Nitika Bhola,  
B-40, 1<sup>st</sup> Floor, MCD Flats, Boulevard Road,  
Tis Hazari, Delhi-110054.

**I.D. NO. 301/2022**

**Sh. Dharmender, S/o Sh. Ram Prakash Yadav,**

Through-Authorised Representative- Nitika Bhola,  
B-40, 1<sup>st</sup> Floor, MCD Flats, Boulevard Road,  
Tis Hazari, Delhi-110054.

**I.D. NO. 302/2022**

**Sh. Dhanveer Yadav, S/o Sh. Jangi Lal Yadav,**

Through-Authorised Representative- Nitika Bhola,  
B-40, 1<sup>st</sup> Floor, MCD Flats, Boulevard Road,  
Tis Hazari, Delhi-110054.

**I.D. NO. 303/2022**

**Sh. Kaushlendra Kumar, S/o Sh. Ram Prakash Yadav,**

Through-Authorised Representative- Nitika Bhola,  
B-40, 1<sup>st</sup> Floor, MCD Flats, Boulevard Road,  
Tis Hazari, Delhi-110054.

**I.D. NO. 304/2022**

**Sh. Mukendra, S/o Sh. Raj Pati Mahato Yadav,**  
Through-Authorised Representative- Nitika Bhola,  
B-40, 1<sup>st</sup> Floor, MCD Flats, Boulevard Road,  
Tis Hazari, Delhi-110054.

**I.D. NO. 305/2022**

**Sh. Nand Lal, S/o Sh. Rambachan Mali,**  
Through-Authorised Representative- Nitika Bhola,  
B-40, 1<sup>st</sup> Floor, MCD Flats, Boulevard Road,  
Tis Hazari, Delhi-110054.

**I.D. NO. 306/2022**

**Sh. Pradeep,**  
Through-Authorised Representative- Nitika Bhola,  
B-40, 1<sup>st</sup> Floor, MCD Flats, Boulevard Road,  
Tis Hazari, Delhi-110054.

**I.D. NO. 307/2022**

**Sh. Ram Prakash Yadav, S/o Sh. Jangi Lal Yadav,**  
Through-Authorised Representative- Nitika Bhola,  
B-40, 1<sup>st</sup> Floor, MCD Flats, Boulevard Road,  
Tis Hazari, Delhi-110054.

**I.D. NO. 308/2022**

**Sh. Dhananjay, S/o Sh. Lal Babu,**  
Through-Authorised Representative- Nitika Bhola,  
B-40, 1<sup>st</sup> Floor, MCD Flats, Boulevard Road,  
Tis Hazari, Delhi-110054.

**I.D. NO. 309/2022**

**Sh. Shailendra, S/o Sh. Surya Narayan Yadav,**  
Through-Authorised Representative- Nitika Bhola,  
B-40, 1<sup>st</sup> Floor, MCD Flats, Boulevard Road,  
Tis Hazari, Delhi-110054.

VERSUS

- 1. National Building Construction Corporation Ltd.,**  
Head Office: NBCC Bhawan, Lodhi Road, New Delhi-110003.
  
- 2. Shapoorji Pallonji & Co. Pvt. Ltd.,**  
07<sup>th</sup> Floor, Kanchanjunga Building,  
18, Barakhamba Road, New Delhi-110001.
  
- 3. R.J. Projects Pvt. Ltd.,**  
C-18, Sector-105, Noida, Uttar Pradesh-201301.

**AWARD**

1. By this composite order, I shall dispose of these ten 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

& 3. 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	Brij Lal	Helper	18.11.2020	Nov, 2021	12,400/-
2	Dharmender	Helper	01.02.2021	Nov, 2021	12,400/-
3	Dhanveer Yadav	Fitter	01.02.2021	Nov, 2021	18,600/-
4.	Kaushlendra Kumar	Fitter	01.02.2021	Nov, 2021	18,600/-
5.	Mukendra	Fitter	18.11.2020	Nov, 2021	18,600/-
6.	Nand Lal	Fitter	01.05.2021	Nov, 2021	18,600/-
7.	Pradeep	Rigor	18.11.2020	Nov, 2021	15,500/-
8.	Ram Prakash Yadav	Fitter	01.02.2021	Nov, 2021	18,600/-
9.	Dhananjay	Fitter	01.05.2021	Nov, 2021	18,600/-
10	Shailender	Helper	01.02.2021	Nov, 2021	12,400/-

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 any EL, CL, P.F and other benefits and overtime. Workmen many times requested to provide above said facilities and over time but the management never paid heed towards workmen and management stopped giving the earned wages to the workmen from March, 2021. Management took time in the pretext that there are some financial crises and they will give their entire dues of salary as soon as possible but the management never paid their due salary. When they

demanded their earned wages from 01.03.2021 to 01.09.2021 then the management got annoyed and terminated their service on the above said dates without giving any reason. Workmen many times approached the management to reinstate their services, pay his earned wages and over time but the management never respond to the workmen. At the time of termination of services no seniority list was displayed, no notice was given, no notice pay was either offered or paid no services compensation was either offer & paid to the workmen. The impugned termination of services is violation of Section 25 (f), (g), & (h) of the Act. The demand notice was served upon to the managements, but no reply was received and it was presumed that the demand has been rejected. 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 workmen were the employee of M-2 & 3. Therefore, the present claims are not maintainable against the M-1 and are liable to be dismissed.

4. Management-2 and Management-3 have also filed their respective WS, denying the averment made in the statement of claims of the claimants. They also submitted that their claims are liable to be dismissed.

5. After completion of the pleadings, following identical issues in all cases have been framed vide order dated 28.01.2025 i.e.-

1. Whether there existed any relationship of employee and employer between the claimants and management-1 (N.B.C.C.).

2. Whether services of the claimants had been terminated illegally and unjustifiably by management-2 & management-3.

3. Relief, if any.

6. Now, these matters are listed for workman evidence. However, neither the workmen nor their AR have been appearing from so many dates to substantiate their claims, despite providing a number of opportunities.

7. In these circumstances, when 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. These files are consigned to record room. A copy of this award is placed in each of the file.

Date- 23.04.2025

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