

Government of India  
Ministry of Labour & Employment,  
Central Government Industrial Tribunal-Cum-Labour Court-II, New  
Delhi.

Present:

Smt. Pranita Mohanty,  
Presiding Officer, C.G.I.T.-Cum-Labour  
Court-II, New Delhi.

**INDUSTRIAL DISPUTE CASE NO. 138/2021**

**Date of Passing Award- 28<sup>th</sup> February, 2023.**

Between:

Sh. Kurmaan Malik, S/o Sh. Chakamali Malik,  
Through- All India General Mazdoor Trade Union  
170, Bal Mukund Khand, Giri Nagar, Kalkaji,  
New Delhi-110019

Claimant

Versus

1. C-DOT-Delhi Campus, Chhattarpur,  
Mandi Road Near Tata Sky Building Mehrauli,  
New Delhi-110030.
2. Green Solutions,  
F-61/34, Lane No. 02, Opposite Social Welfare Center,  
Katwaria Sarai, New Delhi-110016

Managements

Appearances:-

Claimant in person  
None for mgt. no. 1 i.e. C-DOT  
Md. Nadeem, Ld. A/R for the mgt. no.2 i.e. Green Solution

The Government of India in Ministry of Labour & Employment has referred the present dispute existing between employer i.e. the management of (i) C-DOT-Delhi Campus, (ii) Green Solutions and its workman/claimant herein, under clause (d) of sub section (1) and sub section (2A) of section 10 of the Industrial Dispute Act 1947 vide letter No. L-40012/6/2021/IR(DU) dated 04/08/2021 to this tribunal for adjudication to the following effect’;

“Whether the action of management of M/s. Green Solutions (Contractor) under C-DOT (Principal Employer) in terminating the services of the workman Sh. Kurmaan Malik S/o Sh. Chakamali Malik, Mali (Contractual) w.e.f. 02.04.2019 as raised by All India General Mazdoor Trade Union (Regd.) vide letter dated 09.08.2019 is proper, legal and justified? If not, then to what relief Sh. Kurmaan Malik is entitled to and from which date? What other directions, if any, are necessary in the matter?”

As per the claim statement the claimant was working as a Gardner with m2 since 21.10.2017 and the last day drawn by him by 11975 per month. During his employment he had labored given any scope of complaint to the employer he was deputed to work in the premises of m1. The employer was not extending the minimum basic privileges to the claimant which he was often raising demand. Being aggrieved, the M2 illegally terminated his service without following the provisions of ID Act. The representation made by the claimant for reinstatement into service was not considered. Finding no other way the claimant raised a dispute before the Labour Commissioner and a conciliation was held. The management no. 2 though appeared did not agree to the demand made by the claimant. Hence, the appropriate Government referred to this Tribunal for adjudication.

Notices were issues to all the parties. The claimant appeared and filed the claim statement but the M1 did not appear. M2 filed written statement denying the claim advanced. In the w/s M2 stated that a compromise has been effected between the parties and no dispute exists for adjudication.

The statement of the claimant was recorded separately and he stated to have received Rs, 15,000 as compensation from M2 towards full and final settlement of the dispute. A copy of the cheque showing payment by M2 to the claimant was placed on record. Hence this no dispute award is passed. Hence Ordered.

### **Order**

The reference be and the same is answered against the claimant and it is held that no dispute between the parties exists for adjudication.

Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

The reference is accordingly answered.

Dictated & Corrected by me.

Presiding Officer.  
CGIT-Cum-Labour Court.  
28<sup>rd</sup> Feb, 2023

Presiding Officer.  
CGIT-cum-Labour Court.  
28<sup>rd</sup> Feb, 2023