

**BEFORE SH. ATUL KUMAR GARG, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL-CUM-
LABOUR COURT NO-II, NEW DELHI**

I.D. No. 73/2019

Sh. Ranjay Kumar Singh, S/o Sh. Kishori Singh,
Address:- B-80, Aali Vihar, Sarita Vihar,
South Delhi-110076.

I.D. No. 74/2019

Sh. Raushan Kumar, S/o Sh. Ashok Kumar,
Address:- Kh. No.34/16, Golden Enclave,
Delhi-110043.

I.D. No. 76/2019

Sh. Ranjeet Kumar, S/o Sh. Inder Bhushan,
Address:- B-36, B-Block, Harkesh Nagar, Okhla Tank,
New Delhi-110020.

I.D. No. 82/2019

Sh. Rohit Pal, S/o Sh. Biram Pal,
Address:- B-179, Sector-20, Nodia, U.P.

I.D. No. 84/2019

Sh. Subodh Kumar, S/o Sh. Udeswar Ray,
Correspondence Address:- 1-932, Gali No-3, Hari Nagar Extn.
Jaitpur, Badarpur, Delhi-110044.

Permanent Address:- 49, Ward No. 10, Malpur, Agrail,
Muzzaffarpur, Bihar-843104.

I.D. No. 89/2019

Sh. Nikhil Kanojia, S/o Sh. Ramesh Kanojia,

Address:- Qrtr. No.-1, Pandit Uma Shankar Dixit Marg,
Chanakyapuri, New Delhi.

I.D. No. 91/2019

Sh. Keshav Kumar, S/o Sh. Ram Prasad,

Address:- T-5089, T-Hurts Near Police Compound,
Teen Murti Chanakya, New Delhi-110044.

Versus

- 1. Safdarjung Hospital (Sports Injury Center),**
Mahatma Gandhi Marg, Safdarjung Campus, New Delhi-110029.
- 2. The Director, Bhayana Builders Pvt. Ltd.**
At-7, Factory Road, Near Safdarjung Enclave,
New Delhi-110029.

AWARD

By this composite order, I shall dispose of these seven 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. Having the common respondents and same cause of action, these cases are taken together for their illegal termination. Name and particular of their employment are given under -

List of Workmen

| Sr. no | Name | Father's Name | Post | Dates of Joining | Dates of Termination |
|--------|--------------------|-------------------|--------|------------------|----------------------|
| 1 | Ranjay Kumar Singh | Sh. Kishori Singh | Fitter | 2009 | 17.08.2018 |
| 2 | Raushan | Sh. Ashok | Fitter | 2009 | 17.08.2018 |

| | | | | | |
|----|----------------|--------------------|--------------------|------|------------|
| | Kumar | Kumar | | | |
| 3 | Ranjeet Kumar | Sh. Inder Bhushan | Helper | 2009 | 17.08.2018 |
| 4 | Rohit Pal | Sh. Biram Pal | Electrician | 2009 | 17.08.2018 |
| 5 | Subodh Kumar | Sh. Udeswar Ray | Pump Operator | 2009 | 17.08.2018 |
| 6 | Nikhil Kanojia | Sh. Ramesh Kanojia | Helpdesk Executive | 2009 | 17.08.2018 |
| 7. | Keshav Kumar | Sh. Ram Prasad | Assistant | 2009 | 17.08.2018 |

Claims of the workmen are that they have been serving with the management-1 through management-2. They were appointed at their post for the site in **SIC Safdarjung**, New Delhi (Sports Injury Centre, Safdarjung Hospital Complex, New Delhi) by **M/s Bhayana Builders Pvt. Ltd.** However, this company has changed various names i.e. (i) **M/s Bhawana Builders Pvt. Ltd.** (ii) **M/s Roto Power Projects Pvt. Ltd.** (iii) **M/s AWC Facilities Management India Pvt. Ltd.** and (iv) **M/s Wilburg Facilities Management Services Pvt. Ltd.** from time to time. Whenever the name of the company was changed, the fresh appointment letter and other documents were issued to the claimants. The management had deducted 37% amount from the salary of the workmen and other co-workers. In this regard, when the workmen raising this question regarding such illegal deductions, on this, it was threatened to the workmen by the management and other senior officials that if anyone objected, then they will be expelled/terminated from their jobs without issuing any notice. On November 2016, after the demonetization, the management had pressurized the workmen and other co-workers to deposit the old currency money in the bank accounts (approx. Rs. 50,000/- to Rs. 1,25,000/-) by giving threats

that if the same is not done by them, then they will be expelled/terminated from their job. The management has also promised to give/issue the PF, Bonus, Leave amount, and all other salary benefits, but never issued the same to the workmen. Since 17.08.2018, the workmen had not been allowed by the management to do the work and on the same date, the management had brought the new staff and expelled out/terminated and not allowed to work since then to the workmen and other co-worker etc. Workers including the workmen have filed an application U/s 2A of the I.D Act 2010 in the office of ALC (C), New Delhi, against the management **Bhayana Builders Pvt. Ltd.** (Contractor)/Safdarjung Hospital (Principle Employer). They had sent the complaint to the Assistant Labour Commissioner, but, it has yielded no result. Hence, they have filed the present claims.

Respondent-1, has been proceeded ex-parte vide order dated 12.10.2023. WS has been filed by the M-2 and he denied the averment made in the claim. He submitted that claims are liable to be dismissed.

Today, Workman AR submits that he has no contact with the claimants since long.

In these circumstances, when the claimants have not been appearing since long, it appears that they are not interested to pursue their cases. Hence, their claims have been resulted into no disputant award. No disputant awards are accordingly passed. A copy of this award is sent to the appropriate government for notification as required under section 17 of the ID act 1947. Files are consigned to record room.

28th May, 2024

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