

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

I.D. NO. 102/2019

Sh. Arun Kumar and Sh. Kailash Kumar, S/o Sh. Kanti Prasad,
Through-The General Secretary, Hotel Workers Union,
BTR Bhawan, 13-A, Rouse Avenue, New Delhi-110002.

Versus

- 1. The General Manager, Hotel The Ashok,**
Diplomatic Enclave, Chankyapuri, New Delhi-110021.
- 2. Mass Management Services Pvt. Ltd.,**
B-7, Ansal Chamber-II, 6, Bhikaji Cama Place,
New Delhi-110066.

Present: None for the claimants.

Sh. Pranav Gambhir, Ld. AR for the Management-1
(already ex-parte).

AWARD
28.07.2025

1. In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Government of India through the Ministry of Labour and Employment, vide its Order No. **L-42011/8/2019-IR(DU)** dated 08.03.2019 has been pleased to refer the following dispute between the employer, that is the Management of Hotel The Ashok, Diplomatic Enclave and their

workman for adjudication by this Tribunal, terms of which are as under:

“1. Whether the services of workmen Sh. Arun Kumar S/o Sh. Kanti Prasad and Sh. Kailash Kumar S/o Sh. Kanti Prasad were terminated in an illegal and unjustified manner? 2. If yes, whether the workmen Sh. Arun Kumar S/o Sh. Kanti Prasad and Sh. Kailash Kumar S/o Sh. Kanti Prasad are entitled for reinstatement with continuity of their services and all consequential benefits in the establishment of the Hotel Ashok through M/s Mass management services Pvt. Ltd. 3. What other relief, the above workmen are entitled to?”

After receiving the said reference, notices were issued to both the parties. Management no. 2 and the claimants had appeared. Claimants had filed the claim statement stating that they were continuously working with the principal employer Hotel The Ashok through Bogus & Shame Contractor no. 2 for more than 8 & 3 years respectively as Safai Karamchari in House Keeping Department. They were illegally terminated by the managements in the year 2010 and 2014 respectively on the basis of false allegation and without conducted any domestic enquiry. They filed their grievances befoer the Delhi Commission for Safai Karamcharies, Karol Bagh, New Delhi on 22.06.2016 and requested to reinstate their services with continuity of services and full back wages. The commission heard the matter properly and passed an order in favour of the workmen on 15.11.2017 where the commission directed the respondent (Ashoka Hotel) to re-appoint the workmen and make payment of wages in accordance with Minimum Wages Act along with arrear of wages from the dates of

their working in the society, however, management did not implemented to the said directions of the commission and then the commission transferred the case to office of the Chief Deputy Labour Commissioner (Central), Parliament Street, New Delhi-110001. The appropriate Central Government referred the said dispute for adjudication to the Central Government Industrial Tribunal-II, Delhi. Hence, they filed their present claim with the prayer that they be reinstated with full back wages.

2. Management no. 1 & 2 have been proceeded ex-parte vide order dated 30.10.2019.

3. Now, the matter is listed for filing of reply of the application under order 09 rule 07 of CPC for setting aside the ex-parte order dated 30.10.2019 filed by the management-1. However, neither the workmen nor their AR has been appearing since long to substantiate their claim.

4. In these circumstances, when the claimants have not been appearing since long, it appears that they are not interested in perusing their case. Hence, their claim stands dismissed. Reference is answered accordingly. A copy of this award is sent to the appropriate government for notification as required under section 17 of the ID act 1947. Record of this file is consigned to record room.

Date: 28.07.2025

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