

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

**I.D. NO. 88/2022**

**Sh. Mukesh Kumar, S/o Sh. Ram Kishor,**

R/o- I-02-1041, Gali No. 24, Sangam Vihar, Delhi-110062.

**Through-Universal Proutist Labour Federation,**

F-30/05, 1<sup>st</sup> Floor, Okhla Phase-II, New Delhi-110020.

**I.D. NO. 89/2022**

**Sh. Pawan Kumar, S/o Sh. Charan Singh,**

R/o- Plot No. 01, ASF-01, Krishna Apartment,

Mayakunj Society, Avantika Main Road,

Ghaziabad, Uttar Pradesh-201002.

R/o- C-283/A, Pul Prahaladpur, New Delhi-110044.

**Through-Universal Proutist Labour Federation,**

F-30/05, 1<sup>st</sup> Floor, Okhla Phase-II, New Delhi-110020.

VERSUS

**1. Bharti Airtel Ltd.,**

224 Okhla Industrial Estate, Phase-III, New Delhi-110066.

**Also At:** A-45, Mohan Co-operative, Mathura Road, Badarpur, New Delhi-110066.

**2. S.G. Construction,**

Upper Ground Floor, A/01, H. No. 05,

Plot No. A-02, Khasra No. 608, Blok No.-A/01,

Chhatarpur, New Delhi-110074.

*Appearance:-*

*For Claimant: None for the claimants.*

*For Management: Sh. Hitesh Kumar Sharma, Ld. AR for management no.1*

### **AWARD**

1. By this composite order, I shall dispose of these two 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. Name and particular of their employment are given below-

#### **List of Workmen**

Name	Post	Dates of Joining	Dates of Termination	Last drawn Salary
Mukesh Kumar	Assistant Manager	12.03.2001	15.01.2018	35,000/-
Pawan Kumar	Site Engineer	02.04.2004	31.07.2019	27,500/-

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 legal facilities like Minimum wages, Appointment letter, wages slip, leave book, attendance card, annual and festival holidays, ESI & PF etc. When the claimants demanded all the above mentioned legal benefits, the employer immediately became angry and in a spirit of revenge, claimants were illegally terminated by the management on 15.01.2018 and 31.07.2019 respectively. They had gone to the conciliation officer, but, no results were yielded. Hence, they have

filed the present claims with the prayer that they be reinstated with full back wages.

3. W.S has been filed by the respondent-1, stating that workmen were the employee of M-2. Therefore, the present claims are not maintainable against the M-1 and are liable to be dismissed.

4. Management-2 has filed its WS, denying the averment made in the statement of claim. He submits that claim is liable to be dismissed.

5. Claimants were required to file their rejoinder, however, they have not appeared. Their right to file the rejoinder was struck off.

6. Now these matters are listed for framing of issues, however, neither the claimants nor their AR have been appearing since long.

7. In these circumstances, when claimants have not been appearing since long to substantiate their claims, it appears that they are not interested to peruse their cases. Hence, their claims are resulted into no dispute award. Award is 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. Records of these files are consigned to record room. A copy of this award is placed in each of the file.

Date- 28.07.2025

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