

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

I.D. NO. 212/2022

Sh. Shafiq Mohd. S/o Sh. Tubarak Hussain,
R/o- 168, F-03, Shiv Durga Vihar, Lakkarpur, Faridabad,
Haryana-121009.

Through-Indian Steel & Metal Workers Union,
46, Nehru Market, Badarpur, New Delhi-110044.

I.D. NO. 213/2022

Sh. Lokesh Kumar, S/o SH. Samay Singh,
R/o- C-283/A, Pul Prahaladpur, New Delhi-110044.

Through-Indian Steel & Metal Workers Union,
46, Nehru Market, Badarpur, New Delhi-110044.

I.D. NO. 214/2022

Sh. Sohail Khan, S/o Sh. Mobin Khan,
R/o- D-01/579, Vishwakarma Colony, Gali No. 06,
Jaitpur, Badarpur, New Delhi-110044.

Through-Indian Steel & Metal Workers Union,
46, Nehru Market, Badarpur, New Delhi-110044.

VERSUS

1.Container Corporation of India Ltd.

Inland Content Depot, Tughlakabad, New Delhi-110020.

2.Asian Cargo & Movers,

Room No. 302, 03rd Floor, ICD Tughlakabad,
New Delhi-110019.

3.Asian Cargo & Movers,

Office No. 02, 01st Floor, DDA Market, B-Block,
Yojna Vihar, New Delhi-110092.

AWARD

1. By this composite order, I shall dispose of these three 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
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1	Shafiq Mohd.	Telly Clerk	12.08.2015	18.09.2017	7,000/-
2	Lokesh Kumar	Telly Clerk	04.02.2014	18.09.2017	7,000/-
3	Sohail Khan	Telly Clerk	07.04.2015	18.09.2017	7,000/-

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. The employers had made the claimants' signs on many blank papers, blank vouchers, blank agreement letters and blank appointment letters at the time of appointment during the service but did not give a copy of the same to the claimants. 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, without paying the earned salary to the workmen from 01.07.2017 & 01.08.2017 to 17.09.2017 respectively, without prior notice, without any notice charge sheet, without any rhyme and reason, claimants were illegally terminated by the management on 18.09.2017. 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 3 have been proceeded ex-parte vide order dated 11.07.2023.

5. After completion of the pleadings, following identical issues in all cases have been framed vide order dated 03.10.2023 i.e.-

1. Whether the services of the claimants were illegally terminated by the managements? (OPW)

2. If the answer of the issue no. 1 is affirmative, then what relief the claimants are entitled to and from which date?

6. Now, these matters are listed for workman evidence. AR of the claimants **Sh. Amit Tripathi** submitted that workmen are not in touch with him.

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. 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- 29.04.2025

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