

**THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT DELHI - 1,
NEW DELHI.**

ID No.03/2024

Shri Sikander Kumar Parihar & 52 ors, Through Indian National Migrant Workers' Union, 1770/8, 3rd Floor, Govind Puri Extn., Main Road Kalkaji, new Delhi.

...Claimant

Versus

1. CPWD Service Centre, Hudco Place, Andrews Ganj Extn., Andrews Ganj, New Delhi-110049.
2. M/s MIA Construction Pvt. Ltd., A-31, Plot No.1, Gaurav Appts, Patparganj, Delhi-110092.
3. M/s Rajesh Kumar Jain & Sons, GG-62/2A, Vikas Puri, New Delhi-110018.

...Management

AWARD

1. In the present case, a reference was received from the appropriate Government vide letter No-ND-25/II-107/2023-IR dated 26.12.2023 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

The Schedule

'Whether the demands (details mentioned in Annexures-A) of Shri Sikender Kumar Parihar & 52 others (Details mentioned in Annexure-B) through Indian National Migrant Workers Union against the management of M/s Rajesh Kumar Jain & Sons contractor of CPWWD Service Centre, Hudco Place, New Delhi, are legal and/or justified? And if so, then what relief are the workmen entitled to what directions are necessary in this regard?'

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, Claimant union opted not to file the claim statement with the Tribunal.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favor of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put in his appearance nor he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a 'No Dispute/Claim' award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

Date: 23.07.2025

ATUL KUMAR GARG
Presiding Officer
CGIT – cum – Labour Court – I

