

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

**I.D. NO. 128/2023**

**Sh. Nurul Huda, S/o Sh. Abdul Qadir,**

Through- All India General Mazdoor Trade Union,  
170, Bal Mukund Khand, Giri Nagar, Kalkaji, New Delhi-110019.

VERSUS

**1. The Vice Chancellor,**

**Jamia Millia Islamia University,**

Jamia Nagar, Okhla, New Delhi-110025.

**2. M/s Sharma Enterprises,**

92-B, Plot No.- 01, Ground Floor, Nawada,

Near Nawada Metro Station, New Delhi-110059.

**AWARD**

**10.06.2026**

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-42011/96/2023-IR (DU)** dated 06.07.2023 has been pleased to refer the following dispute between the employer, that is the Management of **Jamia Millia Islamia University** and their **workman** for adjudication by this Tribunal, terms of which are as under:

***“Whether claim of Sh. Nurul Huda S/o Abdul Qadir through All India General Mazdoor Trade Union, New Delhi vide letter dated 03.12.2021 against the management of M/s Sharma Enterprises, New Delhi(contractors) under Jamia Millia Islamia University, New Delhi that his services were terminated w.e.f.***

***01.10.2020 without notice, without reason and without due payment which is violation of Section 33 and 25 F of the ID Act, 1947 as their common demand through Union is pending in CGIT cum LC, No. 2, New Delhi bearing ID No. 155/2020, is proper, legal and justified? If yes, to what reliefs as sought vide letter dated 11.10.2021 are the disputant worker entitled and what directions, if any, are necessary in the matter?”***

Upon receiving of the reference, notices were issued to both claimant and the managements. Workman has filed his claim statement stating that he was working with the management as “Bearer” w.e.f. 07.10.2012 and his last drawn salary was Rs. 15,492/- per month. He had been doing his work with diligently and honestly. His service records were clean and he had not been given any complaint so far. During his service tenure, he has not been provided any legal facilities like leave books, overtime cards, bonuses, casual holidays and annual leave as required labour laws. When the claimant 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 workman from 01.07.2020 to 30.09.2020, without prior notice, without any notice charge sheet, without any rhyme and reason, he was illegally terminated by the management on 01.10.2020. He had gone to the conciliation officer, but, no result was yielded. Hence, he filed the present claim with the prayer that he be reinstated with full back wages.

Management no. 1 has filed its WS. They have denied the averment made in the statement of claim. They submitted that he was not engaged directly by the M-1 as his services had been hired through approved outsource agency **M/s Sharma Enterprises** and thereafter had been terminated on the said date i.e. 01.10.2020. They also submitted that claim is liable to be dismissed.

Management-2 has filed its WS stating the claimant was engaged against different part-time and casual roles on through outsource in different departments of **Jamia Millia Islamia** on need basis. He was paid the daily wages for all the days that he put in work as per their category. He submitted that claim filed by the claimant is not tenable under law and the same is liable to be dismissed.

Rejoinder has been filed by the claimant. He had denied the averment made in the written statements of the managements and affirmed the facts mentioned in his claim statement.

After completion of the pleadings vide order dated 01.04.2025, following issues have been framed i.e.:-

- (i) Whether there existed any relationship of employee and employer between the claimant and management no. 1.
- (ii) Whether services of claimant had been terminated illegally and in violation of section 25F of Industrial Disputes Act, 1947.
- (iii) Relief, if any.

Now, the matter is listed for workman evidence. AR for the workman submitted that workman is not in touch with him since long to substantiate his claim.

In these circumstances, when the claimant is not interested in perusing his case, this Tribunal has no option but to dismiss his claim. Hence, claim stands dismissed. Reference is answered accordingly. A copy of this award is sent to appropriate government for notification under section 17 of the I.D. Act. Record of this file is consigned to record room.

Date: 10.06.2026

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