

**Central Government Industrial Tribunal Cum Labour  
Court Jabalpur**

**ORDER SHEET**

DATE OF ORDER OF PROCEEDING	ORDER OR PROCEEDING WITH SIGNATURE OF PRESIDING OFFICER	REMARK
<b>Case No. CGIT/LC/RC/09/2018</b> <b>Ram Sajeevan Singh Vs. Jaypee Bela Plant</b>		
18.02.2025	<p>Matter taken up.</p> <p>Learned Counsel Shri Surendra Singh present with workman. Learned Counsel Shri Martand Paliwal appears for management of M/s. Jaypee Cement.</p> <p>Heard both the sides on application of management dated 18.09.2024 and objection filed by workman side on this application. Perused the record.</p> <p>According to the management of the Jaypee Cement, they have transferred the ownership and management to M/s. Ultratech Cement who are at present the owners and managing the plant since 29.07.2016 under order of National Company Law Tribunal Bench at Allahabad. Affidavit and photocopy of the order is on record. The main objection of the workman is that, he was superannuated by management of Jaypee Cement on 30.01.2016 and post retiral dues including Gratuity was paid by Jaypee Cement. Hence, now on transfer of ownership and management to M/s. Ultratech Cement, the transferee company does not become necessary or proper party.</p> <p>The dispute raised by the workman is that, he was wrongly</p>	

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	<p>superannuated on the basis of his incorrect date of birth 01.01.1956 though his correct date of birth recorded in his service records is 01.01.1963. He has sought the relief that, holding his superannuation against law, he be reinstated with back wages and benefits pre and post retiral on the basis of his date of birth 01.01.1963. Since, the ownership of the company has been transferred to the new management, the relief sought cannot be available against the previous management in the light of the merger document. Hence, M/s. Ultratech Cement becomes a necessary party to the dispute. The workman is directed to suitably amend his statement of claim to incorporate M/s. Ultratech Cement as the opposite party/ management. Application and objection stand disposed accordingly. Issue fresh notice by speed post to the new management.</p> <p>List on 11.04.2025 for filing written statement of defense by new management i.e. M/s. Ultratech Cement.</p> <p>Upload this order.</p> <p><b>Presiding Officer</b></p>	