

**THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,**  
**JABALPUR [M.P.]**

**NO. CGIT/LC/R/48/2022**

**Present: P.K.Srivastava**

**H.J.S..(Retd)**

**Shri Yunus Ansari,  
Ward No. 27, Purani Basti,  
Post & Distt. Shadol (M.P)**

**Workman**

**v/s**

**The Divisional Railway Manger (DRM),  
South East Central Railway,  
Bilaspur (Chhatisgarh)**

**Management**

**(JUDGMENT)**

**(Passed on this 9<sup>th</sup> day of February, 2026)**

As per letter dated **31/10/2022** by the Government of India, Ministry of Labour, New Delhi, the reference has been made to this Tribunal under Section-10 of Industrial Disputes Act, 1947 (in short the 'Act') as per Notification **No.J-1(3-1)/2022-IR** dt. **31/10/2022**. The dispute under reference relates to:

***“Whether the action of the Management of South Eastern Central Railway, Bilaspur (Non-applicant/employer) for termination (without given any opportunity for re-instatement) of service of Shri Yunus Ansari (applicant) is legal, proper and justified? If not to what relief the workman concerned is entitled to?”***

**After registering the case,** notices were issued to the parties. Workman appeared and filed his statement of claim, none appeared from Railways inspite of sufficient service of notices. They did not file any written statement of defense. Due to their absence, on date fixed, the reference proceeded *ex-parte* against them vide order dated 17.10.2024.

**Case of the workman** is mainly that, he was appointed by South Eastern Railway, Bilaspur on compassionate basis on the death of his father Mohd. Rafiq and joined with Railways on 31.03.1988. He worked continuously till 11.12.1993, he remained ill due to Paralysis and other diseases within the period from 11.12.1993 to 08.04.1995 and was under treatment, after recovery he reported at his workplace on 08.04.1995 with a fitness certificate, he was issued a charge-sheet by Railways but was not given opportunity to participate in the enquiry, no documents with respect to enquiry was given to him, he was terminated without any show cause notice. Since then, he has been trying and agitating against his illegal termination by way of filing different representations to different authorities, in the last he raised a dispute which could not be conciliated, hence this Reference. The workman has prayed that set-aside his termination, he be held entitled to be reinstated with back-wages and benefits.

**In evidence**, the workman has filed his affidavit as his Examination-in-chief, he proved photocopies of different applications from 30.01.2001 to 11.12.2014 sent by him to different authorities against his termination.

**I have heard *ex-parte* argument** of the Learned Counsel for workman Mr. Rakesh Soni and have gone through the record.

**Main submission of Learned Counsel for workman is that**, his termination is a major penalty which could be awarded only after duly constituted enquiry. He has referred to ***Judgment of Hon'ble Supreme Court in the case of Chamoli District Co-operative Bank Ltd. v/s Raghunath Singh Rana & Ors., (2016) 12 SCC 2014***, in the reported decision, it has been held that a regular employee can be removed from service on the basis of a charge only after enquiry.

**In his affidavit**, the workman has corroborated his case, this affidavit is uncontroverted. He has filed and proved different

representations submitted by him to different authorities within the period as mentioned above, on the basis of uncontroverted affidavit and representations, there is no occasion to discard the case of the workman that he was terminated from service without any enquiry on the basis of charge of wilful absence.

If this is also significant that the workman has first raised this dispute in 2022, there is no explanation for inaction within the period from 2014 to 2022 hence, his claim is held barred by unexplained delay and latches on his part.

***Keeping these facts in view, the workman is held entitled to a lump sum compensation of Rs. 50,000/- (Fifty Thousand Only) to be paid by Railways in lieu of all his claims including litigation cost payable to him by Railways within 90 days from the date of publication of this Award, failing which interest @ 6% p.a. from the date of Award till payment, will meet the ends of justice.***

**Reference stands answered accordingly.**

DATE:- 09-02-2026

(P.K.SRIVASTAVA)  
PRESIDING OFFICER