

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
JABALPUR (M.P.)

NO. CGIT/LC/RC/15/2025

Present: P.K.Srivastava

H.J.S..(Retd)

1. Shri Sunil Pandey,
S/o Shri Krishna Balak Pandey,
Occupation: Daily Wage Employee,
Indian Bank Branch Kasaridih
(Previously appointed from Allahabad Bank,
PIN No. 4910001),
R/o Near Padmanabhpur Tiranga Bhavan,
Durg District Durg (CG)

Petitioner/Applicant

Versus

1. Indian Bank through Branch Manager
Kasaridih Durg, First Floor Airavat Complex,
Next to LIC Office, Jail Road, Padmanabhpur,
Durg Tehsil and District, Durg, Chhattisgarh
2. Deputy General Manager
Indian Bank Zonal Office Shankar Nagar,
New Shanti Nagar, Near Disha College,
Bachhawat Complex Raipur Chhattisgarh
Pin No. 492007
3. Head Office Corporate Office Indian Bank,
66 Rajaji Salai Through MD & CEO Indian Bank
66 Rajaji Salai Chennai,
Madras Tamil Nadu Pin No. 600001

Respondent/Management

A W A R D

(Passed on this 22nd day of December, 2025)

The applicant workman has filed this petition *u/s 2-A (2&3)* of the **Industrial Disputes Act, 1947** as amended by **Amendment Act of 2010** (in short '**The Act**') now **the Industrial Relation Code, 2020** (in short the '**Code**') against termination of his service by management Bank with a case that he was first appointed by Allahabad Bank on 01.09.2015 as a daily wager. He was falsely implicated in a criminal case relating to robbery of Bank money but was acquitted after trial. He was disengaged by management without any notice or compensation or enquiry which is against the Act and is illegal. He has prayed for holding this action of management Bank unjust, illegal and arbitrary, he be reinstated with all back wages and benefits.

It is also the case of petitioner that during course of time Allahabad Bank merged with Indian Bank.

Notices were sent to the management Bank but none appeared for them inspite of notices, hence the case proceeded *ex-parte* against the management Bank.

In evidence, the petitioner filed his affidavit as his examination-in-chief, certificate with respect to failure of conciliation issued by Regional Labour Commissioner (Central), also filed copy of statement of witness Pradeep Nema in the concerned Session Trial No. 48/2022, *State v/s Sunil Pandey & Ors* and judgment of Court of Additional Session Judge, Durg in S.T. No. 48/2022.

I have heard *ex-parte* argument from the side of workman. Workman has filed written submission also and I have gone through the record as well.

In his uncontroverted affidavit, the petitioner has stated that he was first appointed in Allahabad Bank as a daily wager on 01.09.2015. The Deputy General Manager was informed by the Branch Manager with respect to his employment as daily wager, his name was also included in the Security Audit of the Bank conducted by police on 18.01.2019, his

name is mentioned as daily wager in this Audit Report also Branch Manager has recommended his regularization to the Deputy General Manager, Allahabad Bank vide his letter dated 17.06.2018. Further he has been issued two commendation letters on 04.04.2020 and 23.09.2020, for his good work during Covid period, his name was also included in the booklet of the Branch as a daily wager on 19.06.2020, he continued as such even after merger of Allahabad Bank with Indian Bank. He was falsely implicated in a police case as mentioned above and was acquitted after trial. He was discontinued and was not reinstated by the Bank after he approached them after his acquittal, he had completed 240 days in every year.

This affidavit is uncontroverted. Petitioner has referred to judgment of *Hon'ble Supreme Court in the case of H.D. Singh v/s Reserve Bank of India, (1986) AIR SC 132*, in this case it has been held that striking off name of the worker from the attendance sheet as retrenchment as defined under section 2(o)(o) of the Act.

Since, the claim of the petitioner that he worked 240 days in every year and that no notice or compensation was issued to him is uncontroverted, hence his disengagement by management Bank is held in violation of the Act.

Though, the workman was acquitted after trial but only this fact does not entitle him to be reinstated but since he was disengaged without notice or compensation, a lump sum compensation of Rs. 1,00,000/- (One Lac Only) in lieu of all his claims will meet the ends of justice in my view to which he is held entitled to within 60 days from date of Award, failing which interest **@ 6% per annum** from the date of Award till payment.

The reference stands answered accordingly.

DATE: 22-12-2025

**(P.K.SRIVASTAVA)
PRESIDING OFFICER**