

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1**

**MUMBAI**

Present

Smt. Pranita Mohanty  
Presiding Officer

**REFERENCE NO.CGIT-1/01 OF 2019**

**Parties:** Employers in relation to the management of

1. M/s. Om Constructin
2. M/s.Bharat Petroleum Corporation Ltd

And

Their workmen

**Appearances:**

For the first party Management No.1	:	Absent.
For the first party Management No.2	:	Absent.
For the second party workman	:	Absent.
State	:	Maharashtra

Mumbai, dated the 08th day of September, 2022

**AWARD**

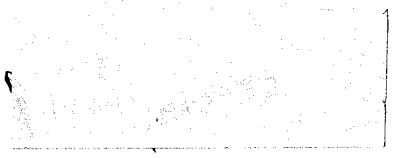
1. The present reference has been made by the Central Government by its order dated 30.11.2018 passed in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947. The terms of reference as per the schedule to the said order are as under:

*"Whether the demand of Petroleum Employees Union, Mumbai for reinstatement of 9i) Shri Bechan Prasad Gaud, (ii) Shri Hiralal Chaurasiya and (iii) Shri Gunaji Sonawane, all Handling Workers at BPCL LPG Bottling Plant Mumbai, by M/s. Om Construction Contractor under the management of BPCL Mumbai Refinery, Mahul, or for suitable compensation is just and proper? If so, what relief the workmen concerned are entitled to?"*

- (1) By the order dated 25.1.2019, notices were directed to be issued to the parties. Accordingly, notices were issued to the parties by Registered Post AD.
- (2) Notices issued to the first party / Management No.1 and First Party Management No.2 were duly served and acknowledgement cards were received back. Registered envelope and acknowledgement card has not been received back for the notice sent to the second party / Union.
- (3) Perusal of the record reveals that learned counsel for the first party management no.2 has appeared before this Tribunal only on three occasions i.e on 07.6.2019, 30.01.2020 and on 01.4.2022. The second party union did not appear before this Tribunal to file the statement of claim inspite of repeated adjournments for the last 3 years.
- (4) The case is taken up today. None is present for the first party management and none is present for the second party union.
- (5) No Statement of Claim has been filed on behalf of the second party / Union.
- (6) From the above narration of facts, it is evident that despite repeated dates having been fixed, none has appeared on behalf of the first party management and second party/Union. No Statement of Claim has been filed on behalf of the second party / Union. There is thus, no pleading or evidence filed on behalf of the second party / Union in support of its claim as contained in the Reference made to this Tribunal. No relief, therefore, can be granted to the second party / Union.

(7) Reference is consequently answered by stating that no relief can be granted to the second party / Union.

(8) Award is passed accordingly.



PRESIDING OFFICER

CGIT-1, MUMBAI