

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.2,  
MUMBAI**

**PRESENT**

M. V. Deshpande  
Presiding Officer

**REFERENCE NO.CGIT-2/43 of 2013**

**EMPLOYERS IN RELATION TO THE MANAGEMENT OF  
M/S. QUALITY SERVICES & SOLUTIONS**

The Director,  
M/s. Quality Service & Solutions  
Rukmini Towers,  
Vasco Da Gama,  
[GOA].

**AND**

**THEIR WORKMEN.**

The General Secretary,  
The Marmagoa Waterfront Workers Union,  
Mukund Building, 2<sup>nd</sup> Floor, P.O. Box No. 90,  
VASCO DA GAMA,  
[GOA] – 403 802.

**APPEARANCES:**

FOR THE EMPLOYER : Mr. Girish Sardesai  
Advocate

FOR THE WORKMEN : Absent

**Mumbai, dated the 4<sup>th</sup> February, 2020.**

**AWARD**

1. This is reference made by the Central Government in exercise of powers under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the

Industrial Disputes Act, 1947 vide Government of India, Ministry of Labour & Employment, New Delhi vide its order No. L-42011/189/2013 – IR (DU) dated 12.07.2013. The terms of reference given in the schedule are as follows :

*“Whether the punishment of dismissal of the workman, Shri Shubham Madkaikar from service with effect from 16.1.2013 by the management of M/s. Quality Services & Solutions is disproportionate and harsh ? To what relief the workman is entitled to ?*

2. After the receipt of the reference, both the parties were served with the notices.
3. On going through the Roznama, it appears that the union is absent since long. After filing statement of claim, union is absent even though the notice was issued to union.
4. As such the Union has not substantiated its claim by adducing evidence. Therefore the reference is liable to be rejected for want of evidence. Hence order.

**ORDER**

**Reference is rejected for want of  
evidence with no orders as to costs.**

Sd/-

Date: 04.02.2020  
Camp: Goa

(M.V. Deshpande)  
Presiding Officer  
CGIT-2, Mumbai