

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

**MUMBAI**

Present

Smt. Pranita Mohanty  
Presiding Officer

**REFERENCE NO.CGIT-1/15 OF 2015**

**Parties:** Employers in relation to the management of  
Mumbai Port Trust

And

Their workmen (Bombay Transport and Dock Workers Union)

**Appearances:**

For the first party no.1 Management: Mr. Umesh Nabar, Adv.

For the second party workman : None present.

State : Maharashtra

Mumbai, dated the 06th day of September, 2022

**AWARD**

1. The present reference has been made by the Central Government by its order dated 24/28/8/2015 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 the Bombay Transport & Dock Workers’ Union, Bombay in denying the work of “carrying any cargo from any vehicle and or place them in any vehicle” by the Winch Drivers in

addition to the duties enlisted in the manual of Mumbai Port Trust is just & legal? If so, what relief the workmen concerned are entitled to?"

2. By the order dated 21.9.2015, notices were directed to be issued to the parties. Accordingly, notices were issued to the parties by Registered Post AD a
3. Notices issued to the first party / Management as well as the second party / Union were duly served on the respective parties. Acknowledgement cards were received back.
4. On 11.01.2016, Mr. Umesh Nabar, Advocate filed his vakalatnama on behalf of the first party management and Mr.P.K.Sharma stating himself to be Vice-President of the second party Union was present and prayed for time to file statement of claim.
5. Perusal of the record reveals that Mr.P.K.Sharma, Vice-President of the second party Union appeared only twice before this Tribunal and prayed for time to file statement of claim. But No statement of claim has been filed by the Union till date.
6. The case is taken up today. Mr. Umesh Nabar, Adv is present on behalf of the first party management but none is present on behalf of the second party workman to file statement of claim.\*+
7. No Statement of Claim has been filed on behalf of the second party / Union.
8. From the above narration of facts, it is evident that despite repeated dates having been fixed, none has appeared on behalf of the 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.
9. Reference is consequently answered by stating that no relief can be granted to the second party / Union.

10. Award is passed accordingly.

PRESIDING OFFICER

CGIT-1, MUMBAI