

**BEFORE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT NO-II, NEW DELHI**

I.D. NO. 22/2022

Sh. Anurag Shani, S/o Sh. Ramsit,
R/o- N-135, Vishnu Garden, New Delhi-110018.

Versus

- 1. Central Public Work Department,**
Sewa Bhawan, Delhi Electrical Division, DED-301,
CPWD R.K. Puram, New Delhi-110066.
- 2. Aar Pee Refrigerations & Air Conditioning,**
210, A2, Shahpur Jat, Maruti Complex, New Delhi-110049.

AWARD

This is an application **U/S 2A of the Industrial Disputes Act (here in after referred as an Act)** filed by the claimant for his illegal termination. Claim of the claimant is that he was working with the management-1 through management-2 since January 2021 at the post of AC Operator at the last drawn salary of Rs. 16,500/- p.m. He has been doing his duty with diligently and honestly and did not give any chance to the management for any complaint. During the month of April, May and June 2021 the workman had worked in a very challenging situation because of 2nd COVID wave, but the managements never came forward to provide any social security and safety measures for the workman. When he demanded proper facilities from managements with regard to medical facility and social security but, the management did not pay any heed to his request and told him to leave the job if he is not happy at workplace. Management refused to extend any social security to workman and started harassing workman by not paying his monthly salary and force them to leave his job. On 02.07.2024 his services was illegally terminated and he has been told to not to come for work on the next day. Management also illegally withheld

four months salary of the workman from March 2021 to June 2021. Management had also been regularly making statutory deductions pertaining to provident fund of workman but they have not been depositing the same in a gross illegal manner. Despite, several reminders and requests from workman, but the managements paid no heed to his legitimate requests. Hence he filed the present claim with the prayer that he be reinstated with full back wages.

Respondent-1 and 2 had filed their written statement. They had denied the averment made in his claim statement. They submit that claim is not maintainable and liable to be dismissed.

After completions of the pleadings, following issues have been framed vide order dated 08.11.2023 i.e.:

1. Whether the petitioner is entitled to the payment of salary of the alleged months as stated in its petition (OPW).
2. Relief.

Now, the matter is listed for workman evidence. On 08.02.2024, management-1 had filed the application under order I rule 10 (2) of CPC. Workman is required to file his affidavit as well as reply of the application. Despite, providing a number of opportunities, workman has not been appearing. Fresh notice was issued to the workman to substantiate his claim. After issuing notice he has not appeared.

In these circumstances, when the claimant is not interested in pursuing his claim. His claim stands dismissed. Award is passed accordingly. A copy of this award is sent to the appropriate government for notification as required under section 17 of the ID act 1947. File is consigned to record room.

ATUL KUMAR GARG

Date 07th, October, 2024

Presiding Officer.

CGIT-cum- Labour Court-II