

**LCA No. 76/17**

**Ram Kishan vs M/s Sakha Engineers Pvt.Ltd.**

24.08.2020

Present: None for the workman.

The matter was earlier fixed for 21.07.2020 for the service of the management, but, the workman has failed to file registered cover and receipt of the cost, so, the notice is not issued to the management. The matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of the workman through video conference

Workman is directed to file <sup>R/c</sup> e.mail address, mobile phone number of the management and complete set of documents within 10 days from today and on filing of the same, the notices are ordered to be issued to the management, which are returnable on 10.12.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.

  
**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 1852/19**

**Sambhu Kumar Choudhary vs M/s Hemkhund Footwears**

*- Shambhu*  
24.08.2020

Present:                      None for the workman.  
                                     None for the management.

The matter was earlier fixed for 22.04.2020 for the service of the management, but, the matter could not be taken up on that day in view of spreading of covid-19.

Notice issued to the management through registered cover is received back unserved.

Today, no one has appeared on behalf of the workman through video conference.

Workman is directed to file fresh address, e.mail address, mobile phone number of the management and complete set of documents within 10 days from today and on filing of the same, the notices are ordered to be issued to the management, which are returnable on 10.12.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.

  
**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 1853/19**

**Pradeep Kumar vs M/s Hemkhund Footwears**

24.08.2020

Present:                 None for the workman.  
                              None for the management.

The matter was earlier fixed for 22.04.2020 for the service of the management, but, the matter could not be taken up on that day in view of spreading of covid-19.

Notice issued to the management through registered cover is received back unserved.

Today, no one has appeared on behalf of the workman through video conference.

Workman is directed to file fresh address, e.mail address, mobile phone number of the management and complete set of documents within 10 days from today and on filing of the same, the notices are ordered to be issued to the management, which are returnable on 10.12.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 1970/19**  
**Joginder Singh vs M/s Sonco Markting and Manufacturing**  
**Company**

24.08.2020

Present:                   None for the workman.  
                                  None for the managements.

The matter was earlier fixed for 22.05.2020 for filing of fresh address of the management no.1 and its service and also for filing of rejoinder to the written statement of management no.2, but, the workman has failed to file the fresh address of management no.1, so, the notice could not be issued to the management no.1. The matter could not be taken up on 22.05.2020 in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Workman is directed to file fresh address, e.mail address, mobile phone number of the management no.1 and complete set of documents within 10 days from today and on filing of the same, the notices are ordered to be issued to the management no.1, which are returnable on 11.12.2020. It will be last and final opportunity for the workman to file the fresh address of the management no.1 within 10 days.

Matter stands adjourned for service of the management no.1 and also for filing the rejoinder to the written statement of management no.2 on 11.12.2020.

Ahlmad of this court is directed to send the copy of

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this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 2287/19**

**Md.Sofian vs M/s Vishwakarma Hydraulic Machine (India)**

24.08.2020

Present:                   None for the workman.  
                                  None for the management.

The matter was earlier fixed for 22.04.2020 for the service of the management, but, the matter could not be taken up on that day in view of spreading of covid-19.

Notice issued to the management is received back with the report served. Today, no one has appeared on behalf of any of the parties through video conference.

Workman is directed to file e.mail address, mobile phone number of the management and complete set of documents within 10 days from today and on filing of the same, the notices are ordered to be issued to the management, which are returnable on 11.12.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER:LABOUR COURT-IX**  
**ROUSE AVENUE COURTS,NEW DELHI**  
**24.08.2020**

**LIR No. 44/20**

**Sumit Kumar Jha vs M/s Unistone Interiors Pvt.Ltd.**

24.08.2020

Present: None for the workman.

The matter was earlier fixed for 22.04.2020 for the service of the court notice to the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

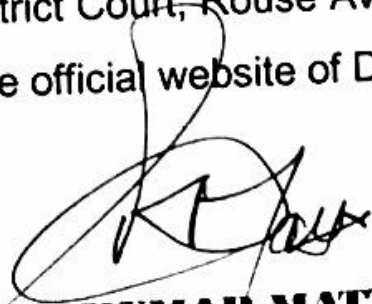
Court notice issued to the workman on his address is received back with the report unserved, as the address of the workman, as mentioned in the reference is not proper.

Notice issued to the workman through union is received back with the report served.

Today, no one has appeared on behalf of the workman through video conference

Fresh court notice is ordered to be issued to the workman on his mobile phone number, as mentioned in the reference through whatsapp, which is returnable on 02.11.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 45/20**

**Tantun Shah vs M/s Hitek Industries**

24.08.2020

Present: None for the workman.

The matter was earlier fixed for 22.04.2020 for the service of the court notice to the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Court notice issued to the workman on his address is not received back.

Notice issued to the workman through union is received back with the report served.

Today, no one has appeared on behalf of the workman through video conference

Fresh court notice is also ordered to be issued to the workman on his mobile phone number, as mentioned in the reference through whatsapp, which is returnable on 02.11.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.

  
**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 46/20**

**Shiv Kumar Gupta vs M/s Calaxy Footwear Pvt.Ltd.**

24.08.2020

Present: None for the workman.

The matter was earlier fixed for 22.04.2020 for the service of the court notices to the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Court notices issued to the workman are not received back.

Today, no one has appeared on behalf of the workman through video conference

Fresh court notices are ordered to be issued to the workman on his mobile phone number also, as mentioned in the reference through whatsapp, which is returnable on 02.11.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.

  
**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 48/20**

**Shiv Pujan vs M/s Rakesh Industries**

24.08.2020

Present: None for the workman.

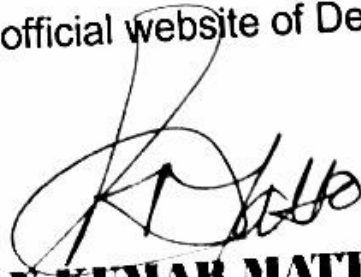
The matter was earlier fixed for 22.04.2020 for the service of the court notices to the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Court notices issued to the workman are not received back.

Today, no one has appeared on behalf of the workman through video conference

Fresh court notices are ordered to be issued to the workman on his mobile phone number also, as mentioned in the reference through whatsapp, which is returnable on 02.11.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LID No. 6/20**  
**Sunil Gautam Vs M/s Hardeep Electrical Pvt Ltd and Ors**

24.08.2020

Present: None for the workman.  
None for the managements.

The matter was earlier fixed for 21.07.2020 for the services of the notices to the managements, but, the matter could not be taken up on that day in view of spreading of covid-19.

The notices issued to the managements are not received back.

Today, no one has appeared on behalf of any of the parties through video conference.

Workman is directed to file e.mail addresses, mobile phone numbers of the managements and complete sets of documents within 10 days from today and on filing of the same, the notices are also ordered to be issued to the managements through email and whatsapps, which are returnable on 11.12.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**RESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LID No. 7/20**  
**Ashok Jha Vs M/s Hardeep Electrical Pvt Ltd**

24.08.2020

Present:               None for the workman.  
                             None for the managements.

The matter was earlier fixed for 21.07.2020 for the services of the notices to the managements, but, the matter could not be taken up on that day in view of spreading of covid-19.

The notices issued to the managements are not received back.

Today, no one has appeared on behalf of any of the parties through video conference.

Workman is directed to file e.mail addresses, mobile phone numbers of the managements and complete sets of documents within 10 days from today and on filing of the same, the notices are also ordered to be issued to the managements through email and whatsapps, which are returnable on 11.12.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**RESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**

**24.08.2020**



**IID No. 8/20**

**Raju Vs M/s Hardeep Electrical Pvt Ltd**

24.08.2020

Present:               None for the workman.  
                             None for the managements.

The matter was earlier fixed for 21.07.2020 for the services of the notices to the managements, but, the matter could not be taken up on that day in view of spreading of covid-19.

The notices issued to the managements are not received back.

Today, no one has appeared on behalf of any of the parties through video conference.

Workman is directed to file e.mail addresses, mobile phone numbers of the managements and complete sets of documents within 10 days from today and on filing of the same, the notices are also ordered to be issued to the managements through email and whatsapps, which are returnable on 11.12.2020.

Ahmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTU)**  
**RESIDING OFFICER, LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**

**24.08.2020**

**LID No. 0/20**

**Sunjoy Vs M/s Hardeep Electrical Pvt Ltd**

24.08.2020

Present:               None for the workman.  
                             None for the managements.

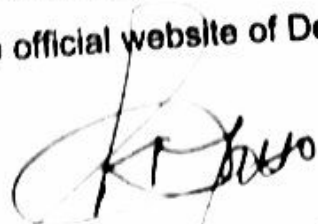
The matter was earlier fixed for 21.07.2020 for the services of the notices to the managements, but, the matter could not be taken up on that day in view of spreading of covid-19.

The notices issued to the managements are not received back.

Today, no one has appeared on behalf of any of the parties through video conference.

Workman is directed to file e.mail addresses, mobile phone numbers of the managements and complete sets of documents within 10 days from today and on filing of the same, the notices are also ordered to be issued to the managements through email and whatsapps, which are returnable on 11.12.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**RESIDING OFFICER, LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 861/20**  
**Shrichand Vs M/s Chilli's Restaurant**

24.08.2020

Present: None for the workman.

The matter was earlier fixed for 22.05.2020 for the service of the court notice to the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

The court notice issued to the workman is not received back. Court notice issued to the workman through union is received back with the report served. Today, no one has appeared on behalf of the workman through video conference

Accordingly, fresh court notices are ordered to be issued to the workman on his mobile phone number also as mentioned in the reference through whatsapp, which is returnable on 07.11.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.

  
**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 862/20**

**Ram Kumar Vs M/s Bosco Public School**

24.08.2020

Present: None for the workman.

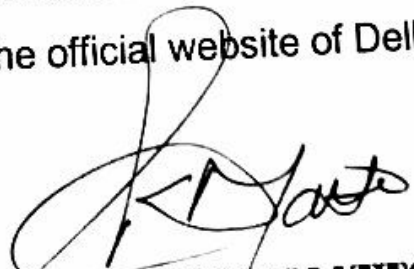
The matter was earlier fixed for 22.05.2020 for the service of the court notices to the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

The court notices issued to the workman are received back with the report served.

Today, no one has appeared on behalf of the workman through video conference

Accordingly, fresh court notices are ordered to be issued to the workman on his mobile phone number also, as mentioned in the reference, through whatsapps which are returnable on 07.11.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 863/20**  
**Guddu Vs M/s Amrit Band**

24.08.2020

Present: None for the workman.

The matter was earlier fixed for 22.05.2020 for the service of the court notices to the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Court notice issued to the workman is not received back. Court notice issued to the workman through union is received back served.

Today, no one has appeared on behalf of the workman through video conference

Accordingly, fresh court notices are ordered to be issued to the workman on his mobile phone number also, as mentioned in the reference, through whatsapp which are returnable on 09.11.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.

  
**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 864/20**  
**Manav Sharma Vs M/s Neelkanth Offset Pvt Ltd**

24.08.2020

Present: None for the workman.

The matter was earlier fixed for 22.05.2020 for the service of the court notices to the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Court notice issued to the workman is not received back. Court notice issued to the workman through union is received back served.

Today, no one has appeared on behalf of the workman through video conference

Accordingly, fresh court notices are ordered to be issued to the workman on his mobile phone number also, as mentioned in the reference, through whatsapp which are returnable on 09.11.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 8711/16**  
**Dharm Dev Yadav Vs M/s Daivies Expo**

24.08.2020

Present:                   None for the workman.  
                                 None for the management.

The matter is fixed for today for filing of rejoinder and framing of issues, but, today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for filing rejoinder and framing of issues on 12.10.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LID No. 496/19**

**Vikas Arora Vs M/s Venkateshwara Distributors Pvt Ltd**

24.08.2020

Present:                   None for the workman.  
                                 None for the management.

The matter is fixed for today for filing of rejoinder and framing of issues, but, today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for filing rejoinder and framing of issues on 12.10.2020.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**



**LIR No. 3214/16**

**Nirmal Singh Vs M/s Viridi Electricals Works Pvt Ltd**

24.08.2020

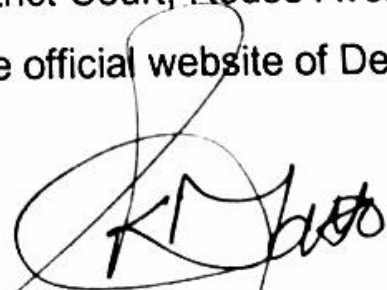
Present:                   None for the workman.  
                                  None for the management.

The matter is fixed for today for evidence of the workman and also for payment of the cost by the management to the workman.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of the workman and also for payment of cost by the management to the workman on **14.01.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 5756/16**

**Kamlesh Sharma Vs M/s S.D.S Security Pvt. Ltd.**

24.08.2020

Present:                      None for the workman.  
                                     None for the management.

The matter is fixed for today for evidence of the workman.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of workman on **14.04.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER:LABOUR COURT-IX**  
**ROUSE AVENUE COURTS,NEW DELHI**  
**24.08.2020**

**LIR No. 8822/16**

**Prushouttam Lal Vs Hariom Tyre Retrading**

24.08.2020

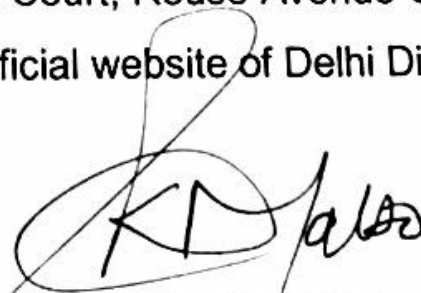
Present:                      None for the workman.  
                                     None for the management.

The matter is fixed for today for evidence of the workman .

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of the workman on **16.04.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 126/17**  
**Devender Singh Vs Rajat Industries Pvt Ltd**

24.08.2020

Present: None for the workman.  
None for the management.

The matter was earlier fixed for 22.05.2020 for remaining evidence of the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Ahlmad has told to the court that the workman has sought to summon a witness from ESIC department, but, as PF was not filed, so, the notice is not issued to the witness.

Accordingly, the matter stands adjourned for remaining evidence of the workman on **16.04.2021**. Workman is directed to file the PF for summoning the witness for the next date of hearing and on filing of the same, the notice is ordered to be issued to the witness for **16.04.2021**.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.

  
**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24 08.2020**

**LIR No. 1605/17**  
**Brij Kishor Vs M/s The Maison Company**

24.08.2020

Present:                   None for the workman.  
                                 None for the management.

The matter was earlier fixed for 22.04.2020 for evidence of the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of the workman on **17.04.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.

  
**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 1606/17**

**Ratan Sarkar Vs M/s The Maison Company**

24.08.2020

Present:                   None for the workman.  
                                  None for the management.

The matter was earlier fixed for 22.04.2020 for evidence of the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of the workman on **17.04.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.

  
**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 1613/17**

**Sant Ram Vs M/s The Maison Company**

24.08.2020

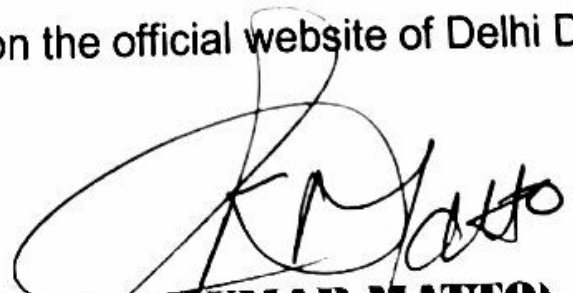
Present:                      None for the workman.  
                                      None for the management.

The matter was earlier fixed for 22.04.2020 for evidence of the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of the workman on **17.04.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 1548/17**

**Santosh Kumar Vs M/s The Maison Company**

24.08.2020

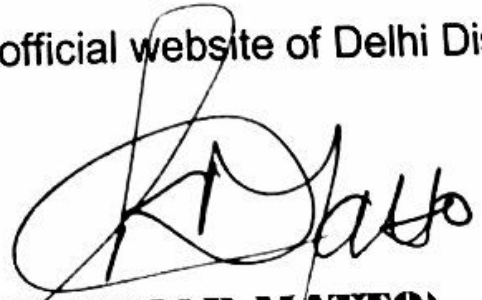
Present:                      None for the workman.  
                                     None for the management.

The matter was earlier fixed for 22.04.2020 for evidence of the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of the workman on **17.04.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**



**LIR No. 1550/17**

**Ajay Kumar Vs M/s Maison Company**

24.08.2020

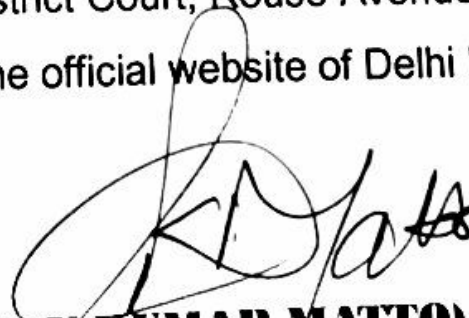
Present:                      None for the workman.  
                                     None for the management.

The matter was earlier fixed for 22.04.2020 for evidence of the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of the workman on **17.04.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 1551/17**  
**Sanoj Vs M/s The Maison Company**

24.08.2020

Present:                      None for the workman.  
                                     None for the management.

The matter was earlier fixed for 22.04.2020 for evidence of the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of the workman on **17.04.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.

  
**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 1552/17**  
**Md. Irshad Vs M/s Maison Company**

24.08.2020

Present:                   None for the workman.  
                                  None for the management.

The matter was earlier fixed for 22.04.2020 for evidence of the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of the workman on **17.04.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.

  
**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 1553/17**  
**Jay Nath Vs M/s Maison Company**

24.08.2020

Present:                   None for the workman.  
                                 None for the management.

The matter was earlier fixed for 22.04.2020 for evidence of the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of the workman on **17.04.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

The Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**

**LIR No. 1554/17**

**Deepu Kumar Vs M/s The Maison Company**

24.08.2020

Present:                   None for the workman.  
                                  None for the management.

The matter was earlier fixed for 22.04.2020 for evidence of the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of the workman on **17.04.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 2575/17**

**Dulal Ranjan Mazumder Vs P.A. Sales Corporation**

24.08.2020

Present:                   None for the workman.  
None for the management.  
(management is already exparte)

The matter was earlier fixed for 22.05.2020 for exparte evidence of the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for exparte evidence of the workman on **19.04.2021**.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 2766/17**

**Lal Mani Vs M/s Ventek Air Conditioning Company**

24.08.2020

Present: Sh.Ajit Kumar Singh, AR for the workman along with the workman through video conference.  
None for the management.

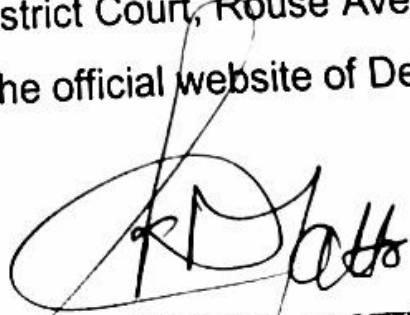
The matter is fixed for today for evidence of the workman.

Today, no one has appeared on behalf of the management through video conference

Ld. AR for the workman also seeks adjournment, as he could not prepare the affidavits of the witnesses, in view of the lockdown.

Accordingly, the matter stands adjourned for evidence of the workman on **22.04.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LIR No. 3421/17**

**Kusum Vs Vikas Colour Cartoons Pvt Ltd**

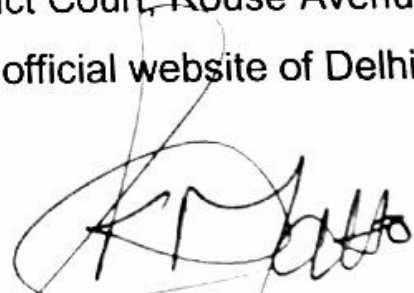
24.08.2020

Present: None for the workwoman.  
Management is already exparte.

The matter is fixed for today for exparte evidence of the workwoman, but, today, no one has appeared on behalf of the workwoman through video conference.

Accordingly, the matter stands adjourned for exparte evidence of the workwoman on **22.04.2021**.

Ahmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**



**LIR No. 292/18**  
**Radhey Shyam Vs M/s Modern Era Convent Senior Secondary School**

24.08.2020

Present:                   None for the workman.  
                                  None for the management.

The matter was earlier fixed for 22.04.2020 for evidence of the workman, but, the matter could not be taken up on that day in view of spreading of covid-19.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for evidence of the workman on 23.04.2021. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.

  
**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

**LCA No. 16/18**

**Sunil Gupta Vs Pawan Ganga Educational Society and Ors**

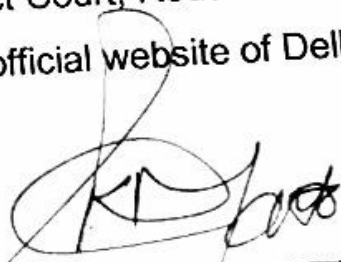
24.08.2020

Present: None for the parties.

The matter is fixed for today for evidence of the workman, but, today, no one has appeared on behalf of any of the parties through video conference

Accordingly, the matter stands adjourned for evidence of the workman on **23.01.2021**. Workman is directed to file the affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management or its AR in similar manner.

Ahlmad of this court is directed to send the copy of this order to the concerned official of District Court, Rouse Avenue Court Complex, New Delhi for uploading on the official website of Delhi District Court.



**(PAWAN KUMAR MATTO)**  
**PRESIDING OFFICER: LABOUR COURT-IX**  
**ROUSE AVENUE COURTS, NEW DELHI**  
**24.08.2020**

LID No. 202/18

Balbir Singh vs. M/s Shahkumbri Ji Export

24.08.2020

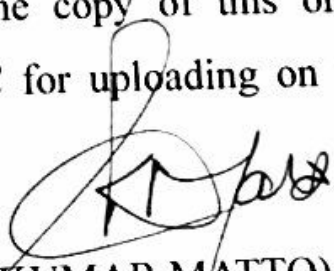
**Present:** None for the workman.  
Management is already exparte.

The matter was earlier fixed for 22.04.2020 for the exparte evidence of the workman. But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for the exparte evidence of the workman on 26.04.2021. It will be last and final opportunity to the workman to conclude his entire evidence on the next date of hearing.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LID No. 204/18

Rajesh vs. M/s Shahkumbri Ji Export

24.08.2020

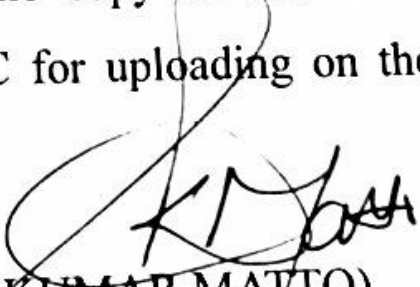
**Present:** None for the workman.  
Management is already exparte.

The matter was earlier fixed for 22.04.2020 for the exparte evidence of the workman. But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for the exparte evidence of the workman on 26.04.2021. It will be last and final opportunity to the workman to conclude his entire evidence on the next date of hearing.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LID No. 205/18  
Ranu vs. M/s Shahkumbri Ji Export

24.08.2020

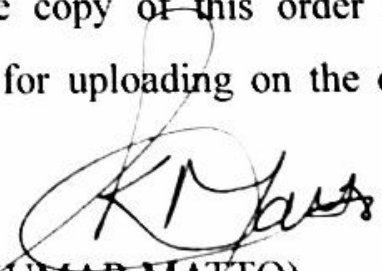
**Present:** None for the workman.  
Management is already exparte.

The matter was earlier fixed for 22.04.2020 for the exparte evidence of the workman. But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for the exparte evidence of the workman on 26.04.2021. It will be last and final opportunity to the workman to conclude his entire evidence on the next date of hearing.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LID No. 206/18

Udaybir vs. M/s Shahkumbri Ji Export

24.08.2020

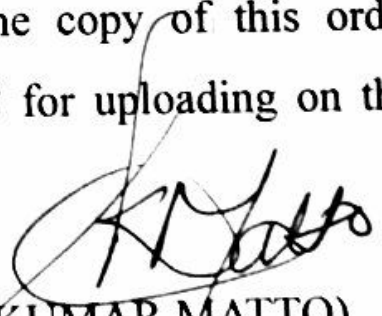
**Present:** None for the workman.  
Management is already exparte.

The matter was earlier fixed for 22.04.2020 for the exparte evidence of the workman. But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for the exparte evidence of the workman on 26.04.2021. It will be last and final opportunity to the workman to conclude his entire evidence on the next date of hearing.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LID No. 211/18

Yogesh vs. M/s Shahkumbri Ji Export

24.08.2020

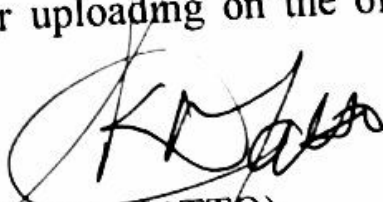
Present: None for the workman.  
Management is already exparte.

The matter was earlier fixed for 22.04.2020 for the exparte evidence of the workman. But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for the exparte evidence of the workman on 26.04.2021. It will be last and final opportunity to the workman to conclude his entire evidence on the next date of hearing.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LID No. 212/18

Suresh Chander vs. M/s Shahkumbri Ji Export

24.08.2020

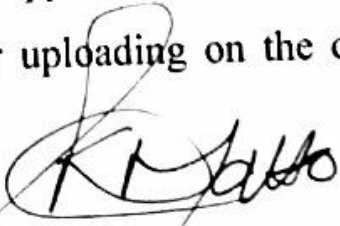
**Present:** None for the workman.  
Management is already exparte.

The matter was earlier fixed for 22.04.2020 for the exparte evidence of the workman. But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for the exparte evidence of the workman on 26.04.2021. It will be last and final opportunity to the workman to conclude his entire evidence on the next date of hearing.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020



LID No. 213/18

Pappu vs. M/s Shahkumbri Ji Export

24.08.2020

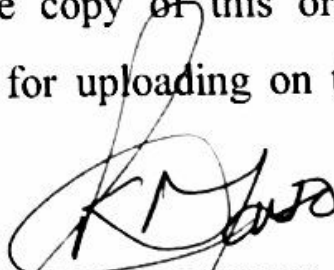
Present: None for the workman.  
Management is already exparte.

The matter was earlier fixed for 22.04.2020 for the exparte evidence of the workman. But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for the exparte evidence of the workman on 26.04.2021. It will be last and final opportunity to the workman to conclude his entire evidence on the next date of hearing.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LID No. 292/18

Manohar Prasad vs. M/s Delhi Public School (D.P.S.) & Ors.

24.08.2020

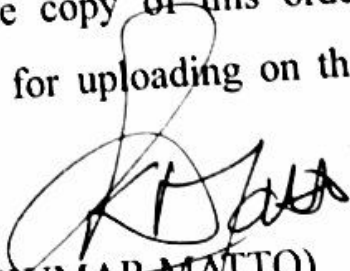
Present: Ms. Pooja, proxy AR for the workman through video conference.  
Management No.1 is already exparte.  
None for the management no.2.

The matter was earlier fixed for 21.07.2020 for evidence of the workman. But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the management no.2 through video conference.

Accordingly, the matter stands adjourned for the evidence of the workman on 27.04.2021. Workman is directed to file affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the management no.2 or it's AR in similar manner.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LID No. 321/18  
Prem Chand vs. M/s Out Look Fashion Industries

24.08.2020

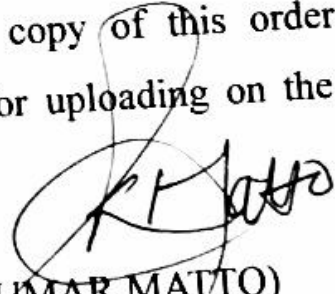
Present: None for the workman.  
Management is already exparte.

The matter was earlier fixed for 22.05.2020 for the exparte evidence of the workman. But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for the exparte evidence of the workman on 27.04.2021.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LID No. 4018/18

Suraj Pal vs. Sh. Kuljeet Monga Director/owner of M/s Inspire Exim Pvt.  
Ltd. & Ors.

24.08.2020

Present: Ms. Pooja, Proxy AR for the workman through video  
conference.  
Management is already exparte.

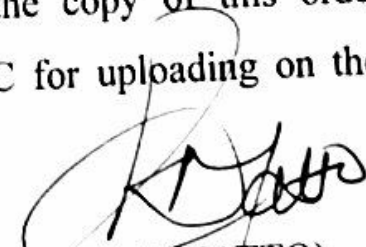
The matter was earlier fixed for 21.07.2020 for the evidence of  
the workman. But the matter could not be taken up on that day, in view of  
spreading of covid 19.

The workman had a summoned the witness for 21.07.2020.  
Notice issued to the witness for 21.07.2020 is received back with the report  
served.

Today, no witness of the workman has appeared.

Accordingly, the matter stands adjourned for the exparte  
evidence of the workman on 27.04.2021. Workman is directed to file PF for  
summoning the witness.

Ahlmad is directed to send the copy of this order to the  
concerned official of District Court, RADDC for uploading on the official  
website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 8830/16

Suresh Shah vs. M/s Shree Mahaveer Industries

24.08.2020

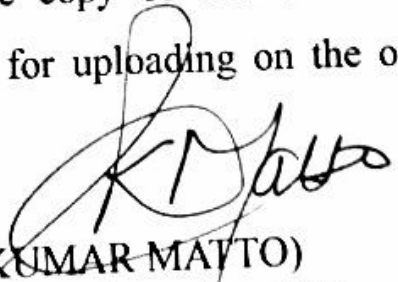
Present: Sh. Pradeep Gupta, AR for the workman through video conference.  
None for the management.

The matter was earlier fixed for 22.05.2020 for evidence of the management. But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the management through video conference.

Accordingly, the matter stands adjourned for the evidence of the management on 10.03.2021. Management is directed to file affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the workman or his AR in similar manner.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1938/17  
Rahul vs. M/s Advaya Traders

24.08.2020

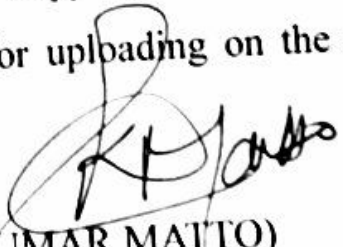
Present: Ms. Pooja, Proxy AR for the workman through video conference.  
Sh. Arun Mehta, AR for the management through video conference.

The matter was earlier fixed for 21.07.2020 for evidence of the management on the issue of enquiry. But the matter could not be taken up on that day, in view of spreading of covid 19.

The Ld. AR for the management seeks adjournment.

Accordingly, the matter stands adjourned for the evidence of the management on the issue of enquiry on 16.03.2021. Management is directed to file affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the workman or his AR in similar manner.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1939/17

Anil Kumar vs. M/s Advaya Traders

24.08.2020

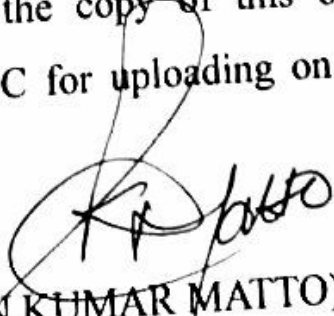
Present: Ms. Pooja, Proxy AR for the workman through video conference.  
Sh. Arun Mehta, AR for the management through video conference.

The matter was earlier fixed for 21.07.2020 for evidence of the management on the issue of enquiry. But the matter could not be taken up on that day, in view of spreading of covid 19.

The Ld. AR for the management seeks adjournment.

Accordingly, the matter stands adjourned for the evidence of the management on the issue of enquiry on 16.03.2021. Management is directed to file affidavits of the witnesses in the court one week prior to the next date of hearing and supply advance copies thereof to the workman or his AR in similar manner.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 8871/16  
Prem Chand @ Prem vs. M/s Shiv Shakti Industries

24.08.2020

Present: None for the workman.  
Sh. Gaurav Bajaj, AR for the management through video conference.

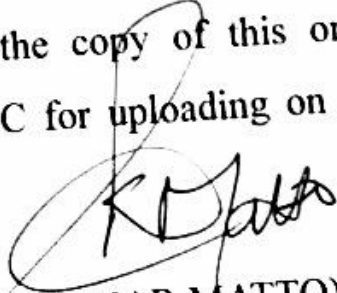
The matter was earlier fixed for 21.07.2020 for hearing arguments on the application for review filed by the workman.

But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for the same purpose and also for production of bonus register by the management on 16.12.2020.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020



LIR No. 8872/16  
Vishnu vs. M/s Shiv Shakti Industries

24.08.2020

**Present:** None for the workman.  
Sh. Gaurav Bajaj, AR for the management through video conference.

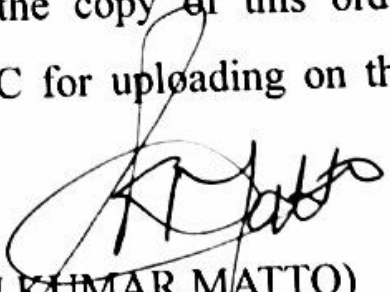
The matter was earlier fixed for 21.07.2020 for hearing arguments on the application for review filed by the workman.

But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for the same purpose and also for production of bonus register by the management on 16.12.2020.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 8873/16  
Shanti vs. M/s Shiv Shakti Industries

24.08.2020

Present: None for the workwoman.  
Sh. Gaurav Bajaj, AR for the management through video conference.

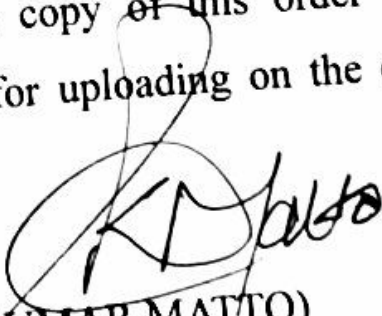
The matter was earlier fixed for 21.07.2020 for hearing arguments on the application for review filed by the workwoman.

But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the workwoman through video conference.

Accordingly, the matter stands adjourned for the same purpose and also for production of bonus register by the management on 16.12.2020.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 9746/16  
Deepak Kumar @ Munshi vs. M/s Jagdish Printers  
& Computer Solution Pvt. Ltd.

24.08.2020

Present: None for the parties.

The matter was earlier fixed for 22.05.2020 for hearing arguments on the application moved by the workman for seeking direction for the management to produce the documents.

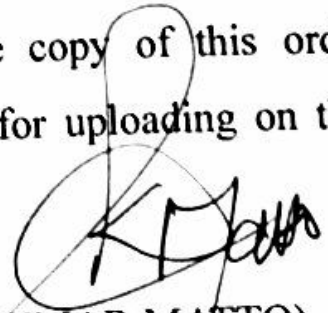
But the matter could not be taken up on that day, in view of spreading of covid 19.

Earlier, it was told by the AR for the workman that workman has already moved an application for transfer of the present matter in some other court.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for hearing arguments on the said application on 16.01.2021.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.



(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LID No. 386/19

Vinod Kumar vs. M/s Reliance Security Services

24.08.2020

Present: None for the workman.  
Ms. Aarushi Dhingra, Proxy AR for the workman through video conference.

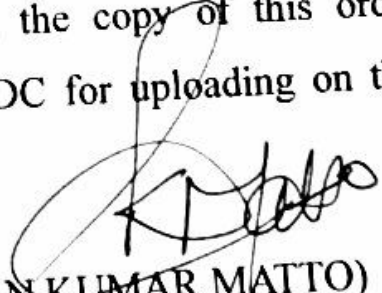
The matter was earlier fixed for 22.04.2020 for hearing arguments on the application moved by the workman.

But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for hearing arguments on the said application on 17.12.2020.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 961/17

Rakesh vs. M/s Mittal Timber Traders & Ors.

24.08.2020

Present: None for the parties.

The matter was earlier fixed for 22.05.2020 for hearing arguments on the application filed by the workman.

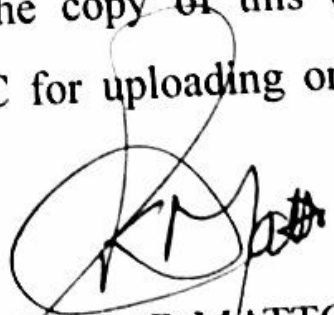
But the matter could not be taken up on that day, in view of spreading of covid 19.

Earlier, it was told to the court by the AR of the workman that he has already filed an application in Labour Commissioner for transfer of the present matter to some other court. But no transfer order has yet been received by this court.

Today, no one has appeared on behalf of any of the parties through video conference.

Accordingly, the matter stands adjourned for hearing arguments on the said application on 16.01.2021.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1694/19

Mahender Yadav vs. M/s Balaji Industries & Anr.

24.08.2020

Present: Sh. Ajit Kumar Singh, AR for the workman through video conference.  
Management No.1 is already exparte.  
None for the management No.2

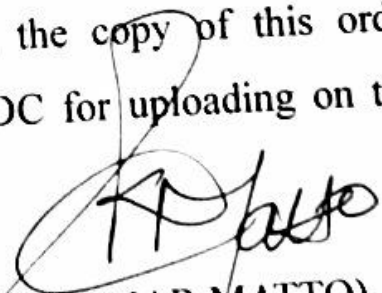
The matter was earlier fixed for 22.05.2020 for hearing arguments on the application for amendment filed by the workman.

But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the management No.2 through video conference.

Accordingly, the matter stands adjourned for hearing arguments on the said application on 18.12.2020.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADDC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1695/19

Rajesh Kumar Patel vs. M/s Balaji Industries & Anr.

24.08.2020

Present: Sh. Ajit Kumar Singh, AR for the workman through video conference.

Management No.1 is already exparte.

None for the management No.2

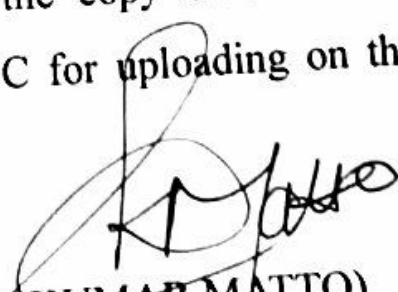
The matter was earlier fixed for 22.05.2020 for hearing arguments on the application for amendment filed by the workman.

But the matter could not be taken up on that day, in view of spreading of covid 19.

Today, no one has appeared on behalf of the management No.2 through video conference.

Accordingly, the matter stands adjourned for hearing arguments on the said application on 18.12.2020.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 3858/16

Munna Shah vs. M/s Big Bazar Platoon Security Pvt. Ltd. & Anr.

24.08.2020

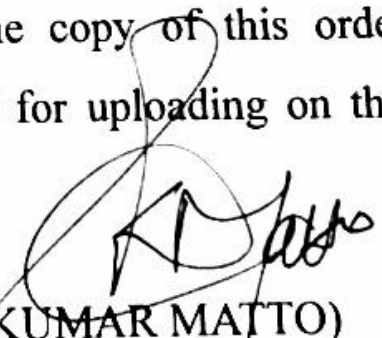
**Present:** None for the workman.  
Ms. Veera Mathai, Proxy AR for the management No.1 through video conference.  
Management No.2 is already exparte.

The matter is fixed for today for hearing final arguments.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for hearing final arguments on 04.12.2020.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020



LIR No. 1888/17  
Ram Avtar vs. M/s Shri Krishna Rolling

24.08.2020

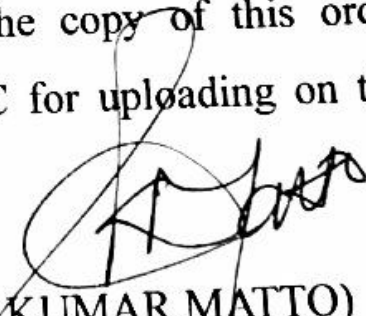
Present: None for the workman.  
Management is already exparte.

The matter is fixed for today for hearing exparte final arguments.

Today, no one has appeared on behalf of the workman through video conference.

Accordingly, the matter stands adjourned for hearing exparte final arguments on 02.12.2020.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1527/18

Surinder Tiwari vs. M/s Hindustan Cocacola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.


The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADDC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1529/18

Manoj Verma vs. M/s Hindustan Cocacola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.


The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1530/18

Fateh Mohd. vs. M/s Hindustan Cocacola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.

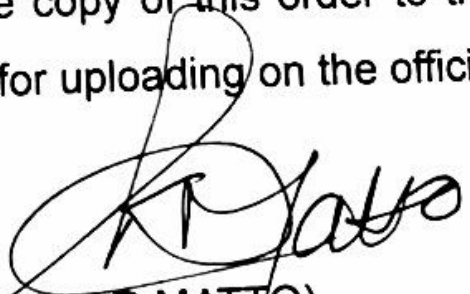
The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1531/18

Rakesh Dubey vs. M/s Hindustan Cocacola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.

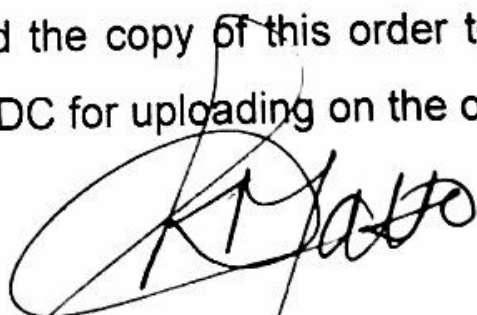
The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADDC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1532/18

Jai Prakash vs. M/s Hindustan Cocacola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.

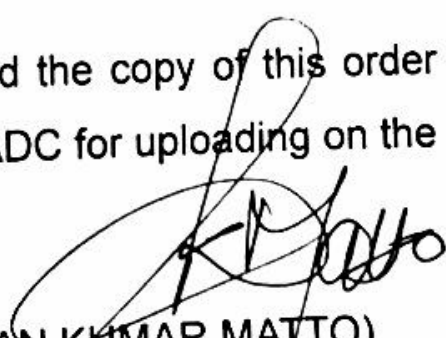
The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1533/18

Durga Parshad vs. M/s Hindustan CocaCola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.

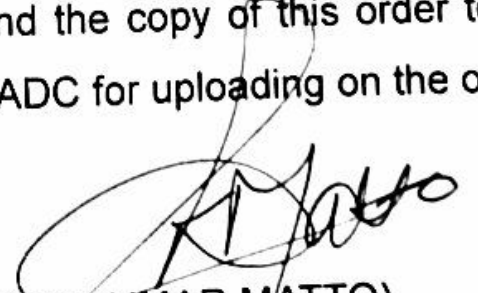
The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1534/18

Ram Ashish vs. M/s Hindustan Cocacola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.

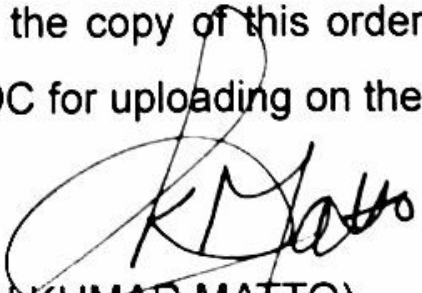
The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020



LIR No. 1535/18

Vinod Rawat vs. M/s Hindustan Cocacola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.

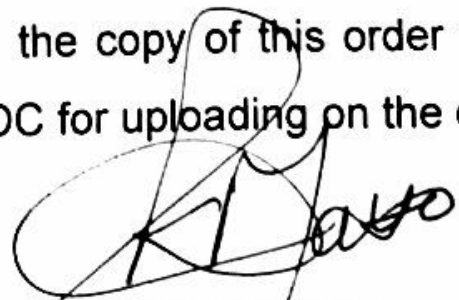
The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADDC for uploading on the official website of the District Court.



(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1536/18

Rakesh Rawat vs. M/s Hindustan Cocacola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.

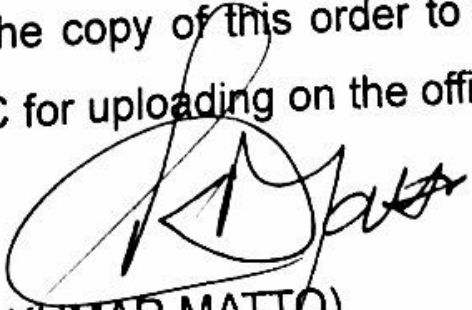
The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1537/18

Sanjay vs. M/s Hindustan Cocacola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.

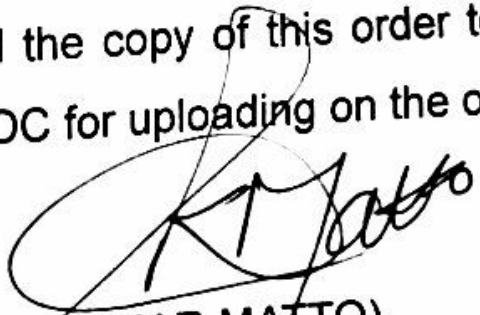
The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1540/18

Ish Mohd. vs. M/s Hindustan CocaCola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.

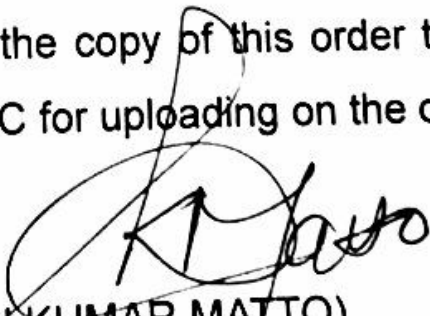
The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1545/18

Ram Preet vs. M/s Hindustan Cocacola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.

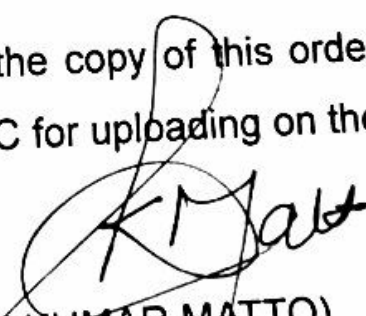
The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1546/18

Rayaz Khan vs. M/s Hindustan Cocacola Bottling North West & Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1 through video conference.  
Management no.2 is already exparte.  
None for the management No.3.

The matter is fixed for today for order through video conference.

As this court is remained busy in giving dictation of award in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4 P.M. for order.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LIR No. 1588/16

Devi Prasad & Ors. vs. M/s Hindustan CocaCola Bottling North West  
& Ors.

24.08.2020

Present: Sh. R.S. Nagpal, AR for the workman through video  
conference.  
Sh. K.M. Tripathi, Proxy AR for the management no.1  
through video conference.  
Management no.2 is already exparte.  
None for the management No.3.

The matter is fixed for today for order through video  
conference.

As this court is remained busy in giving dictation of award  
in another matter, which has been pronounced today.

Now, no court time is left.

So, the matter is ordered to be listed on 31.08.2020 at 4  
P.M. for order.

Ahlmad is directed to send the copy of this order to the  
concerned official of District Court, RADC for uploading on the official  
website of the District Court.

  
(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020

LID No. 419/16  
Rameshwar Dayal Sharma vs. The General Manager Ut Limited

24.08.2020

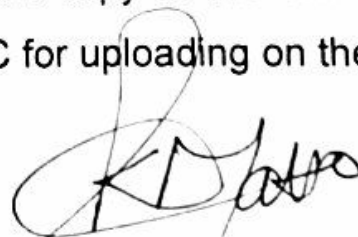
Present: None for the parties.

The matter is fixed for orders through video conference.

Today, no one has appeared on behalf of any of the parties through video conference.

Vide my separate detailed award of even date, pronounced through video conference by way of using Cisco Webex, the statement of claim filed by the claimant has been dismissed, being devoid of merits. Attested copy of the award be sent to the Office of the Deputy Labour Commissioner, Government of NCT of Delhi of Distt./Area concerned for publication, as per rules and judicial file be consigned to Record Room, as per rules after compliance of necessary legal formalities.

Ahlmad is directed to send the copy of this order to the concerned official of District Court, RADC for uploading on the official website of the District Court.



(PAWAN KUMAR MATTO)  
Presiding Officer Labour Court-IX  
Rouse Avenue Courts/New Delhi  
24.08.2020



IN THE COURT OF SH. PAWAN KUMAR MATTO, ADDITIONAL DISTRICT & SESSIONS  
JUDGE, PRESIDING OFFICER, LABOUR COURT NO. IX, ROUSE AVENUE COURTS: NEW  
DELHI

LID No.	419/16
Date of institution	19.05.2011
Date of Award	24.08.2020

Sh. Rameshwal Dayal Sharma  
S/o Late Sh. Puran Chand Sharma,  
R/o 562, Kirtan wali Gali,  
Bajaria Ghaziabad, UP.

....Claimant (workman)

Vs.

The General Manager UT Limited  
Office at  
411, Meghdoot Building,  
94, Nehru Place,  
New Delhi.

.....Management

AWARD

1. This is award of mine will dispose off the statement of claim filed by the claimant namely Sh. Rameshwar Dayal Sharma against the General Manager UT Limited.
2. The claimant has filed statement of claim stating therein that he was regular and permanent employee of UT Limited and his last drawn salary was Rs.8,458/- in the month February, 2011 and he has unblemished record of service.



3. He has also stated that he was appointed as welder vide letter of appointed dated 01.04.1994. He has also stated that the management is doing the business of manufacturing of lifts. Initially, the management was having its factory's site at plot No.1, site no.4, Industrial Area, Sahibabad, Gaziabad, UP. Therefore, the appointment of the claimant was restricted for the work of welder, in the factory of the management.
4. The claimant has further stated that on dated 08.10.2001, the management had shifted it's manufacturing site/factory from plot No.1, site no.4, Industrial Area, Sahibabad, Gaziabad, (UP) to 14/7, Mathura Road, Faridabad (Haryana) and vide letter dated 08.10.2001, the claimant was transferred to the site of the management at Mathura Road, Faridabad (Haryana).
5. The claimant has further stated that on 31.03.2004, the management had again shifted from 14/7, Mathura Road, Faridabad, (Haryana) to Plot No. 28/3/2, Site No.4, Industrial Area, Sahibabad, Gaziabad (UP). Therefore, the claimant was also transferred at the said site of the management.
6. The claimant has further stated that in the year 2008, the factory of the management was again shifted from Plot No. 28/3/2, Site No.4, Industrial Area, Sahibabad, Gaziabad (UP) to Bajaj Track Road, Maheshthala, Chander Nagar, 24 Bagna South-West Bangal, Calcutta-700141.
7. The claimant has also stated that the claimant was also transferred to the above site of the factory of the management at Calcutta in the record. But, in fact, he was ordered to do the job continuously in the office of the management at 411, Meghdoot Building, 94, Nehru Place, New Delhi. Therefore, as per the order and instruction of the management, the claimant had worked since,



01.08.2008 till 04.04.2011 at the said office of the management at Nehru Place, New Delhi. Whereas, the management has shown the services of the claimant, in it's record at it's office at Calcutta.

8. The claimant has alleged that the management has discriminated in the pay scale, because, the management had released the pay of the claimant in accordance with the other workmen, which were doing job at Delhi's Office.
9. He has also alleged that the management has failed to pay the allowances of transfer to the claimant.
10. The claimant has further stated that when, the factory of the management was shifted at Calcutta on dated 01.08.2008, a compromise was arrived at between the claimant and the management, vide which, it was agreed upon by the management that the shifting allowance @ Rs. 3,000/- per month, incentives allowance @ Rs 1,300/- per month and increment @ Rs. 1,600/- per month will be paid to the claimant, but, the said amounts were not paid to the claimant, despite of repeated requests and demands made by the claimant and also stated that the claimant is entitled to recover Rs. 1,53,200/- in respect of his shifting allowance, increment and incentives allowances etc.
11. The claimant has further stated that the management has failed to provide the amount of Rs. 700/- per annum towards the dress and shoes in the terms of the agreement dated 16.07.2007 for the period of last two years.
12. He has also alleged that the management has also failed to pay D.A. to the claimant for the past two years.



13. The claimant has also stated as the claimant has done the job with the best of his efforts and honesty. But, in order to remove the claimant from his services, the management had sent letters of transfer at different places.
14. The claimant has also stated that as the claimant was appointed as welder, so, he was supposed to do the job at site of the factory of the management and the management was having only one site of the factory at Calcutta. But, despite of it, the management had illegally and unlawfully continued to send the letters of transfer to the claimant from one place to the another.
15. The claimant has further stated that he had made demands for his pay scale and other benefits from the management, in accordance with the payments and benefits, which were being paid by the management to the other employees/workers, who were doing job at Delhi. But, the management continued to discriminate the claimant, as it did not make the payment of the same.
16. He has alleged that the management took the work from the claimant at Delhi, but, it had paid him on the scale and other benefits of Calcutta and alleged that the management has committed fraud and cheating and caused wrongful loss to the claimant.
17. The claimant has also stated that on dated 05.04.2011, the claimant was shocked and surprised to know that his services were illegally and unlawfully terminated by the management without affording any opportunity of being heard, without issuing any show cause notice and without conducting at domestic enquiry.

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18. The claimant has further stated that on dated 08.04.2011, the claimant had sent the legal notice through registered AD to the management for his reinstatement with continuity of his services and the said demand notice was served to the management, which was replied by the management. He has also stated that the management has violated various provisions of Delhi Shops & Establishments Act and Industrial Dispute Act and prayed for passing an award in favour of the claimant and against the management by way of holding the termination of services of the claimant, as illegal and unjustified with full back wages.
19. The notice of statement of claim was issued to the management and the management had appeared through its Authorized Representative and filed the written statement and contested the case of the claimant, stating therein that the claim of the claimant is not maintainable and also stated that the claimant was working with the management in the terms of letter of appointment dated 01.04.1994 and the claimant had acknowledged the said letter of appointment and agreed to abide the terms of the employment and as per clause 5<sup>th</sup> of the said letter of appointment, the claimant had agreed that his services were liable to be transferred by the management to any of it's sections, department, division, branch office, sites of it's factories or place of work or it's sister concern or any works to be set up or acquired by the management in future, any where in India.
20. The management has also stated that in the month of April, 2010, the claimant was transferred to Srinagar vide letter dated 09.04.2010 and the claimant had refused to accept the same. It is further stated that due to exigency of work, the claimant was transferred to Bangalore in the terms of the letter dated

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16.03.2011 and the claimant had refused to join his services at the place of his transfer and thus, the claimant has violated the conditions of services agreed upon and applicable to him. It is also stated that the management had repeatedly, asked to the claimant to join his services at the place of his transfer, but, the claimant had neither reported for his duties at the place of his transfer nor sent any satisfactory explanation and he has avoided the lawful order of the management. It is further stated that due to repeated violation of the conditions of services and refusal to obey the lawful orders of the management, the management has lost it's confidence in the claimant and thus, the management was left with no option, but to take a painful decision of terminating the services of the claimant and the services of the claimant were terminated on 04.04.2011 with an advice to collect full and final settlement from the concerned department of the management after proper clearance. The management has also stated that the act of the management of terminating the services of the claimant is legal and justified in all respects.

21. Replying to the statement of claim on merit, the management has denied that the last drawn salary of the claimant was Rs. 8,458/- per months or that his record of service was unblemished. It is also stated that the claimant was in the habit of refusing to perform his duties assigned to him from time to time, as a result of which, the reputation of the management had suffered a lot and stated that the job of the claimant was not restricted to the work of welding within the premises of the factory.

22. The management has also stated that the management is engaged in the business of manufacturing, supplying, marketing, installing and commissioning of the lifts and elevators. It is further stated that the claimant was working as

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welder and the job of the welder was paramount in addition to the installation, erection and commissioning of lifts and the claimant was posted in the erection department, wherein, he was required to perform his duties. The management has denied that the appointment of the claimant was restricted to the work of welder only in the factory.

23. The management has also stated that it is an admitted fact that the services of the claimant could be transferred anywhere in the terms of the contract of employment. It is also stated that claimant had opted to remain in Delhi and he was performing his duties administratively and functionally under supervision and control of Nehru Place office of the management.
24. The management has denied that on the shifting of the factory of the management from Sahibabad to Calcutta, the claimant was transferred to Calcutta in the record and stated that on shifting of factory from Sahibabad to Calcutta, the claimant was transferred at New Delhi, where he was performing his duties. The management has also denied that in the record of the management, the services of the claimant was shown at Calcutta or that management had discriminated in releasing the pay to the claimant or that the claimant was entitled to get any transfer allowance and stated that the claimant was discharging his duties at Nehru Place office in New Delhi and his name was enrolled in the office of the management at Nehru Place, New Delhi and he was also paid salary from there.
25. The management has denied that the claimant was entitled to get any benefit in the alleged compromise and stated that the alleged compromise was applicable only to those employees, who were transferred from Sahibabad to Calcutta and joined their services at there. The management has denied that the

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claimant was entitled to get any shifting allowance, incentive or any increment. The management has denied that the claimant is entitled to get Rs. 1,53,200/- towards alleged arrears in respect of shifting allowance, increment allowance or incentive etc. and stated that all these allowances were payable only to those persons, who were required to join duties at Calcutta. The management has also stated that the claimant was not transferred from Sahibabad to Calcutta, so, he is not entitled to get any such incentive.

26. The management has also denied that the claimant is entitled to get any amount of Rs. 700/- per annum as dress allowance or shoe allowance and stated that the claimant was provided dress and shoes by the management. The management has also denied that the claimant is entitled to get Rs. 1400/- from the management. The management has also denied that it has failed to pay D.A. to the claimant and also stated that the claimant was paid wages as declared by the Government from time to time.

27. The management has denied that the claimant has done the job in the management to the best of his efforts or honestly or that the management had transferred the claimant with the intention to remove him from services and stated that transfer orders were issued on account of exigency of work and administrative requirement, but, the claimant has repeatedly refused to obey the orders of transfer and also failed to report for his duties at the transferred place and caused loss to the business and reputation of the management. The management has also denied that the claimant was appointed as welder for it's factory's site only or that the management had illegally sent letters of transfer to the claimant. It is further stated that the claimant has been transferred, as per the condition of employment and on account of exigencies of work and

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administrative work and the same was legal, valid and justified in all respects. It is also stated that the claimant was given benefits and salary as applicable to the claimant. The management has also denied to have committed any fraud or cheating. It has also denied to have violated any provision of law. The management has also stated that the claimant has admitted his guilt of violating the conditions of his services and lawful orders of the management on several occasions and the claimant even obtained money from the client of the management and subsequently, he had tendered apology. Thus, the claimant is not a man of honesty. The management has denied to have terminated the services of the claimant illegally or unlawfully and without affording any opportunity of hearing and stated that because of the conduct of the claimant in refusing to obey the lawful orders of the management for reporting for duty at the transferred place repeatedly, the business and the reputation of the management had suffered a lot and since, the management has lost its confidence in the claimant, so, it was left with no option, but, to terminate the services of the claimant. Therefore, vide letter dated 04.04.2011, the services of the claimant were terminated legally and validly.

28. The management has denied that the act of the management of terminating the services of claimant is either illegal, bad or unjust or that the management has violated any provision of law and prayed for dismissal of statement of claim.

29. The claimant has filed rejoinder to the written statement of management and denied the averments made in the written statement and reiterated the contents of his statement of claim therein.

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30. From the pleadings of the parties, following issues were framed by the Ld. Predecessor of mine on dated 13.08.2012.

**1. Whether the services of the workman were illegally and/or unjustifiably terminated by the management? OPW**

**2. Relief.**

31. In order to prove his case, the claimant has examined himself as WW1 vide his affidavit Ex. WW1/A and in one way or the other he has reiterated the contents of his statement of claim therein. He has relied upon the documents Ex.WW1/1 to Ex.WW1/15 and Mark A. The claimant was cross examined by the Ld. Authorized Representative for the management. The claimant did not examine any other witness and closed his evidence.

32. The management has examined it's Manager (HR & Accounts) Sh. Rajesh Sharma as MW1 vide his affidavit MW1/A. He has relied upon the photocopies of documents Mark A to Mark E. This witness was cross-examined the Ld. Authorized Representative for the claimant. The management did not examine any other witness and closed its evidence.

33. I have heard the Ld. Authorized Representatives for both the parties and perused the record.

34. Ld. Authorized Representative for the claimant has submitted that claimant was appointed as welder in the management on 01.04.1994, vide appointment letter Ex.WW1/2 and his last drawn salary was of Rs. 8,458/- per month and submitted that the claimant has placed on record the copy of salary slip as Ex.WW1/1. He has also submitted that the facility of ESI was provided to



the claimant in the management and the claimant has placed on record the copy of ESI Card Ex.WW1/3. He has submitted that on dated 01.08.2008, the claimant was transferred at Nehru Place, Delhi from Sahibabad and prior to that on 08.01.2001, he was transferred from Sahibabad to Faridabad factory of the management and on dated 31.03.2004, the claimant was again transferred from Faridabad to Sahibabad by the management. He has further submitted that in the year 2008, the factory of the management was shifted at Calcutta and the claimant was transferred at Nehru Place, New Delhi in the office of the management. He has further submitted that on dated 16.07.2007, a settlement was arrived at between the claimant and the management and management had agreed to pay certain incentives, but, the management has failed to pay the said incentives and further submitted that on dated 04.04.2011, the management had illegally terminated the services of the claimant and letter of termination was handed over to the claimant on 05.04.2011 and the claimant has sent the legal demand notice, copy of the demand notice, postal receipt, AD card and reply of the management are placed on record and submitted that since, the witness of the management i.e. MW1 has admitted during in his cross-examination that no show cause notice was issued to the claimant nor any domestic enquiry was conducted against the claimant and since, from the ESI card and appointment letter it is proved that the claimant was the employee of the management and his services have been illegally terminated by the management in violation of Section 25 (F) of the Industrial Disputes Act. So, he is entitled to be reinstated in the management with full back wages.

35. On the other hand, Ld. Authorized Representative of the management has submitted that it is an admitted fact that this claimant was appointed in the management vide letter of appointment dated 01.04.1994 Ex.WW1/2. He has



also submitted that this claimant had initially worked at Sahibabad, thereafter, he was transferred from Sahibabad to Fridabad and he was again transferred at Sahibabad. He has also submitted that the claimant was thereafter transferred at Srinagar and the management had agreed to pay all the travel expenses to the claimant vide letter dated 09.04.2010 Ex.WW1/5 and submitted that this claimant did not join his services at Srinagar. He had given reply dated 28.06.2010 Mark A, whereby he has sought one year time to join the services at Srinagar and the management had written another letter dated 07.06.2010 Mark B, vide which, the claimant was given 15 days time to join his services at Srinagar. He has further submitted that vide another letter dated 12.07.2010 Mark D, the claimant was given 8 days time by the management to join his services at Srinagar and submitted that letter Mark D dated 12.07.2010 was received (by hand) by the claimant on 13.07.2010. But, the claimant did not join his services at Srinagar, despite of receiving of the same. Thereafter, the management had written letter dated 16.03.2011 to the claimant Ex.WW1/7(4) and since, the claimant was not ready to join the services at Srinagar, so, he was asked to join services at Banglore. But, this claimant did not join services even at Banglore and the claimant had sent the reply Ex.WW1/8 to the said letter (Ex.WW1/7(4)), wherein he has stated that he does not want to be transferred anywhere except in Delhi and submitted that since, the claimant had disobeyed the orders of the management and the terms of his employment as mentioned in his appointment's letter, so, the management was left with no option, but, to terminate the services of the claimant and vide letter dated 04.04.2011 Ex.WW1/10, the management had terminated the services of the claimant and submitted that since, the claimant was appointed vide Ex.WW1/2 and 5<sup>th</sup> clause thereof clearly manifests that the services of the claimant could be transferred anywhere in India and since, the claimant has violated the terms of his

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employment, as mentioned in the appointment letter, so, the act of the management of terminating the services of the claimant was legal and justified and the claimant does not deserve any relief and his statement of claim may be dismissed.

36. I have given thoughtful consideration to the submissions made by Authorized Representatives of the parties and perused the record.

37. The perusal of record reveals that the claimant has filed the statement of claim stating therein that he was appointed by the management vide letter of appointment dated 01.04.1994 Ex. WW1/2 as welder and vide letter dated 04.04.2011 Ex.WW1/10, his services have been illegally terminated by the management.

38. In order to prove his case, the claimant has examined himself as WW1 vide his affidavit Ex. WW1/A and in one way or the other, he has reiterated the contents of his statement of claim therein. He has relied upon the salary slip Ex.WW1/1, appointment letter dated 01.04.1994 Ex.WW1/2, copy of ESIC Certificate/Data Ex.WW1/3, copy of compromise Ex.WW1/4, copy of letter dated 09.04.2010 Ex.WW1/5, copy of letter dated 22.04.2010 written by the claimant to the management Ex.WW1/6, copies of letters dated 08.10.2001, 12.07.2010, 19.06.2010 and 16.03.2011 written by the management to the claimant are Ex.WW1/7, copy of letter written by the claimant to the Personal Manager of the management in response to the letter dated 16.03.2011 (vide which the claimant was transferred from Delhi to Bangalore) Ex.WW1/8, postal receipts and AD card Ex.WW1/9, letter of termination of services of the claimant Ex.WW1/10, copy of legal demand notice dated 08.04.2011 Ex.WW1/11, AD Card Ex.WW1/12, postal



receipt Ex.WW1/13, reply to the demand notice dated 18.04.2011 Ex.WW1/14, copy of letter dated 19.07.2010 written by the claimant to the management Ex.WW1/15, statement of claim filed in the court Ex.WW1/16 and copy of application dated 28.06.2010 written by the claimant to the management Mark A.

39. He was cross-examined by the Ld. Authorized Representative for the management and during his cross-examination, he has deposed that he is 8<sup>th</sup> class pass and he cannot tell the reason for termination of his services. He has admitted to be correct that when, the site of the management was shifted from Ghaziabad to Faridabad, he was also transferred at Faridabad. He has also admitted that when in the year 2004, the site of the management was again shifted from Faridabad to Ghaziabad, he was again transferred to Ghaziabad. He has denied that he was never transferred to Calcutta. He has admitted that he has not filed any document to show that he was ever transferred at Calcutta. He has also admitted that he has not filed any document on record to show that he was directed to report at Nehru Place Office. He has also admitted it to be correct that the management had transferred him at Srinagar on dated 09.04.2010 and he had replied to the management vide letter dated 28.06.2010 Mark A. He has denied that the co-workers had filed the complaint of dated 21.03.1998 regarding fight. He has also stated that he does not remember that he had written any apology letter to the management regarding complaint dated 21.03.1998. He has admitted it to be correct that he had taken Rs. 300/- from the client, for which, he wrote an apology letter dated 15.11.2008 to the management. He has also admitted it to be correct that he did not join duty at Srinagar site, when, he was transferred by the management at there. He has denied that his conduct was not satisfactory during the period of his service. He





has also stated that he does not remember, as to when, he was transferred to Bangalore. He has admitted that he had received letter of transfer dated 16.03.2011 and he does not remember the exact date of his reply. He has admitted to have received letter of termination of his services dated 04.04.2011. He has denied that he was transferred from Delhi to Bangalore in the terms and conditions of his service. He has denied that his services were terminated by the management in view of his failure to join duty at Bangalore site or that he has deposed falsely.

40. The management has examined Sh. Rajesh Sharma, who is the Manager (HR & Accounts) in the management, as MW1 vide his affidavit Ex. MW1/A. He has deposed on the lines similar to the written statement filed by the management. He has relied upon the copy of appointment letter dated 01.04.1994 Mark A, copy of transfer letter of the claimant dated 09.04.2010 and its original postal receipt Ex.MW1/1(OSR), copy of letter of the management dated 07.06.2010 and copy of its postal receipt Mark B, copy of letter of workman dated 28.06.2010 Mark C, copy of transfer letter of the management dated 12.07.2010 and copy of its postal receipt Mark D, copy of transfer letter dated 16.03.2011 Ex.MW1/2, copy of letter of termination of services of the claimant dated 04.04.2011 and copy of its postal receipt Mark E.

41. He was cross-examined by the Ld. Authorized Representative for the claimant and during his cross-examination, he has deposed that he is serving in the management, since, 1985. He has admitted that he did not file any letter of authorization. He has denied that he has not filed letter of authorization on record intentionally. He has also stated that he knows the contents of his affidavit. He has admitted that the claimant has no knowledge of English



Language and the claimant was permanent employee of the management. He has also admitted that during the service period of the claimant, they did not receive any complaint about his work and the claimant had worked in the management honestly and sincerely. He has also admitted that he did not sign letter of appointment dated 01.04.1993 of the claimant. He has also admitted that the claimant did not sign the letter of appointment in his presence. He has denied that the management had obtained sign of the claimant fraudauntly or that terms and conditions mentioned in the appointment letter were not stated to the claimant. He has admitted that it is not mentioned in the appointment letter of the claimant that the claimant should be given Rs. 3,000/- as per the transfer condition and stated that it is clearly mentioned in the terms and conditions of the appointment letter that the management has power to transfer the claimant whenever required by the management. He has denied that the management could not transfer the claimant to any other State. He has denied that the management did not provide salary to the claimant in time or that the claimant was not provided legal facilities in time. He has also deposed that the claimant had worked with the management at Nehru Place Branch since 01.08.2008 till 04.04.2011. He has also admitted that the management had not issued any show cause notice to the claimant before terminating his services. He has also admitted that the management did not initiate any domestic enquiry against the claimant. He has also deposed that he has no knowledge regarding issuing of any letter of duty of (claimant) workman at Nehru Place Branch, since 01.08.2008 till 04.04.2011. He has also admitted that the claimant was working at Nehru Place Branch with the consent of the management. He has also stated that he does not know whether any settlement was arrived at between the management and the claimant on 16.07.2007. He has identified the signature of Sh. Suresh Aggarwal, Manager Accounts on Ex.WW1/4 at point A. He has denied





that the claimant was not provided legal facility by the management, during the period of service at Nehru Place w.e.f. 01.08.2008 till 04.04.2011. He has admitted that Ex.WW1/3(2) bears the signatures of Sh. Suresh Aggarwal, Manager Accounts at point A. He has admitted that management was shifted to Calcutta in the year 2008, at the same time, he has also deposed that the service record of the claimant was till available at Nehru Place Branch. He has denied that the management had transferred the claimant since, 2008 to 2011 in order to harass him. He has denied that the services of the claimant were terminated illegally by the management or that the claimant is entitled to be reinstated with full back wages, continuity of services with all consequential benefits. He has also denied that the management did not provide legal facility or all allowances to the claimant despite of his repeated request or that he has deposed falsely.

42. Since, the claimant has claimed that his services were illegally terminated by the management, so, it was incumbent on the part of the claimant to prove that the management had illegally and unjustifiably terminated his services and in order to prove the same, he has examined himself as WW1 vide his affidavit Ex.WW1/A. The claimant has admitted that he was transferred by the management vide transfer letter dated 09.04.2010 at Srinagar and the claimant has admittedly replied to the said letter on dated 28.06.2010, photocopy thereof is Mark A. But, despite of receiving of another letter dated 07.06.2010 Mark B, the claimant did not joined his duties at Srinagar. Perusal of Mark B reveals that the claimant was also given another time of 15 days from the date of receiving the letter dated 07.06.2010 Mark B to join his duties at Srinagar. Thereafter, the management had also written another letter dated 12.07.2010, photocopy thereof is Mark D and despite of receiving of the same letter by hand on dated 13.07.2010, the claimant chose to not join his duties at Srinagar. Perusal of letter



Mark D reveals that the management was pleased to grant another time of 8 days (from the date of receiving said letter) to the claimant to join his services at Srinagar and it was also mentioned therein that in case of failure to comply with the said letter, the management would take action against him. But, despite of receiving of the same, the claimant chose to not join service at Srinagar. Thereafter, the management had also written another transfer letter dated 16.03.2011 to the claimant, photocopy thereof is Ex.MW1/2 (also Ex.WW1/7) (as earlier, the claimant had shown his inability to join his services at Srinagar), vide which, the claimant was asked by the management to join his services at Banglore within 15 days from the date of receiving of said letter. It was also mentioned in letter Ex.MW1/2 (also Ex.WW1/7) that the claimant would be entitled to get transfer allowance, which was about Rs. 3,000/- per month and the management had also mentioned therein that it would pay travel expenses to him and his family for arriving at Banglore. But despite of receiving of the same, the claimant did not join his duties even at Banglore and he had written another letter to the management, copy whereof is Ex.WW1/8, wherein he had stated that he does not want to be transferred anywhere except in Delhi. Thus, the claimant did not oblige the orders of transfer passed by the management and also the term of his letter of appointment. So, taking into consideration such delinquent conduct of the claimant of not obliging the orders of transfer of the management and in view of violation of term of his appointment, as mentioned in the letter of appointment Ex,WW1/2, the management had terminated his services vide letter dated 04.04.2011.

43. Since, the claimant has relied upon the letter of appointment Ex.WW1/2 and 5<sup>th</sup> clause thereof is as under:



*"5. That you will be liable to transfer by the company to any of its Section's, department, Division, Branch Office, Sites, of its factories or place of work or its sister concern or any works to be setup or acquired in future by the company, anywhere in India."*

44. Thus, from the clause 5<sup>th</sup> of the letter of appointment, it is clear that the management was competent to transfer to the claimant anywhere in India. Since, this appointment letter Ex.WW1/2 is relied upon by the claimant, the claimant had served in the management since, 1994, so, it cannot be presumed or assumed that the claimant was not aware of such terms of the letter of appointment. Even otherwise, the claimant was earlier transferred by the management at Faridabad also and from Faridabad to Sahibabad (Ghaziabad). Since, the management had transferred to the claimant at Srinagar vide letter dated 09.04.2010 and the claimant has failed to comply with the order of the management, as he did not join his duties at Srinagar and he has replied thereof on dated 28.06.2010 vide Mark A, wherein he had shown his inability to join his duties at Srinagar and sought one year time to join duties. But, thereafter, the management had written another letter dated 07.06.2010 Mark B, but, despite of receiving of the same, the claimant did not joined his duties at Srinagar. Perusal of Mark B reveals that the claimant was also given another time of 15 days from the date of receiving the letter dated 07.06.2010 Mark B to join his duties. But, the claimant did not join his duties at Srinagar. Thereafter, the management had also written another letter dated 12.07.2010, photocopy thereof is Mark D and despite of receiving of the same letter (by hand) on dated 13.07.2010, the claimant did not join his duties at Srinagar. Perusal of letter Mark D reveals that the management was pleased to grant another time of 8 days (from the date of receiving said letter) to the claimant to join his services at Srinagar and it was also mentioned therein that in case of failure to comply with the said letter, the



management would take action against him. But, despite of receiving of the same, the claimant chose to not join his duties at Srinagar. Thereafter, the management had also written another transfer letter dated 16.03.2011 to the claimant Ex.WW1/7(4) (photocopy whereof is Ex.MW1/2) (as the claimant had shown his inability to join his duties at Srinagar), vide which, the claimant was transferred by the management at Banglore and he was asked to join duty within 15 days from the date of receiving of said letter. It was also mentioned in the said letter Ex.MW1/2 that the claimant would be entitled to get shifting allowance, which was about Rs. 3,000/- per month and the management had also mentioned therein that it would pay travel expenses to him and his family for arriving at Banglore. But despite of receiving of the same, the claimant did not join his duties even at Banglore and the claimant had written letter Ex.WW1/8 to the management, wherein he has stated that he does want to be transferred anywhere from Delhi. Since, the perusal of the letter dated 28.06.2010 Mark A reveals that the claimant had written therein that one year time may be given to him to join the services and this letter was written by him in response to the transfer letter dated 09.04.2010 Ex. WW1/5, vide which, the claimant was transferred at Srinagar. Whereas, after receiving another letter of transfer dated 16.03.2011 Ex.WW1/7 (4) (vide which, the claimant was transferred at Banglore), the claimant had written letter Ex. WW1/8, wherein he has stated that he does not want to be transferred anywhere from Delhi. Thus, the claimant did not oblige the orders of transfer passed by the management.

45. Since, the perusal of the term 5<sup>th</sup> of the appointment letter makes it clear that the job of the claimant was transferable and he could be transferred by the management anywhere in India. Since, the claimant was initially transferred by the management at Srinagar vide letter of transfer dated 09.04.2010, but the



claimant did not join his duties at Srinagar for a considerable period and even after passing of another transfer order dated 16.03.2011 by the management, vide which, the claimant was transferred at Bangalore and he was given 15 days time to join his duties at Bangalore. But, the claimant did not join his duties even at Bangalore. Thus, from such delinquent conduct of the claimant, it is clear that this claimant has failed to oblige the term 5<sup>th</sup> of his appointment, as mentioned in his letter of appointment Ex.WW1/2. He has also failed to comply with the orders of the management and he continued to remain absent from duties by way of not joining his duties at the places of his transfer and despite of giving warnings to the claimant by the management, he remained absent from duties unauthorizedly and without sanctioning of any leave, which is a grave misconduct.

46. Since, the correspondence made by management with the claimant is not disputed and since, from the above discussed delinquent conduct of the claimant, it is clear that the claimant did not bother to oblige the terms of his appointment. He also did not bother about the warnings given by the management in writing to the claimant and thus, the conduct of the claimant was unwarranted and uncalled for. The claimant during his cross-examination has admitted that he took Rs. 300/- from his client and he had written an apology letter dated 15.11.2008 to the management, which shows that this claimant was also indulged in illegal activity, for which he had admittedly written an apology letter to the management. The claimant has failed to bring on record any cogent evidence to prove that his services have been illegally and unjustifiably terminated by the management and from the document i.e. Ex. WW1/2, which is the letter of appointment of the claimant, it is clear that the management was well within it's power to transfer the claimant anywhere in India and the claimant





had also put his signatures thereon. So, he was supposed to oblige the terms and conditions of his appointment in the management and orders of his employer. But, he failed to oblige the terms of his appointment and orders of his employer.

47. Section 2 (oo) of the Industrial Disputes Act defines the retrenchment, which mandates that the termination by the employer of service of a workman for any reason, otherwise, than punishment inflicted by way of disciplinary action. In the case in hand, the letter of appointment Ex.WW1/2 relied upon by the claimant is an admitted document and 5<sup>th</sup> clause thereof makes it clear that the service of the claimant were transferrable in any part of India. Since, this claimant vide letter of transfer dated 09.04.2010 Ex.WW1/5 was transferred at Srinagar. This claimant had shown inability to join service at Srinagar and he had sought one year time to join the service by way of writing letter dated 28.06.2010 to the management, copy whereof is Mark A. The management had transferred the claimant at Srinagar vide letter dated 09.04.2010 Ex.WW1/5, thereafter, the management had also written letter dated 07.06.2010 Mark B, letter dated 19.06.2010 Ex.WW1/7 (2) and another letter dated 12.07.2010 Mark D (also Ex.WW1/7(3)), but, this claimant did not join his duties at Srinagar, despite of receiving of said letters of the management. Then, the management was pleased to transfer the claimant at Bangalore vide letter dated 16.03.2011 Ex.WW1/7(4). But, in response, thereof, the claimant had written letter Ex.WW1/8 and stated therein that he does not want to be transferred anywhere except Delhi. Thus, the claimant had refused to obey the terms of his employment letter and orders of the management, so, the management was competent to take disciplinary action against the claimant and by way of taking disciplinary action against the claimant,

A handwritten signature in black ink, appearing to be 'R. S. Datta', is written over a horizontal line.

the management had terminated the services of the claimant vide letter of termination dated 04.04.2011 Ex.WW1/10.

48.

In view of above discussion, it is clear that the claimant was an indisciplined employee, as he failed to comply with the term of his employment letter and orders of the management. Since, the services of the claimant have been terminated by the management by way of taking disciplinary action against him, so, such act of the management, vide which services of the claimant have been terminated does not fall within the definition of retrenchment as given under Section 2 (oo) of Industrial Disputes Act. So, the claimant is not entitled to get any relief under Section 25 (F) of the Industrial Disputes Act.

49.

Therefore, I am inclined to hold that the claimant has failed to prove on record that the management had terminated his services illegally and/or unjustifiably. At the same time, I am inclined to hold that the orders of the transfer of the claimant passed by the management were well within the power of the management and in view of violation of terms and conditions of his appointment and in view of unauthorized absent from duties of the claimant for a considerable period, the act of the management of terminating the services of the claimant was legal and justified. Accordingly, issue no.1 is decided in favour of the management and against the claimant.

50.

In the given circumstances, this court has come to the conclusion that the management had taken care of the claimant and gave number of opportunities to comply the orders of transfer. But the claimant appears to be a delinquent, as, he did not comply the orders of transfer and since, the letters written by the management to the claimant are not disputed by the claimant, so, in the above



discussed circumstances, this court is of the considered opinion that the management was not helpless to take action against the claimant.

51. Since, the term 5<sup>th</sup> of letter of appointment Ex.WW1/2 makes it clear that the management could transfer the claimant anywhere in India, so, it cannot be said the act of the management of transferring the claimant from Delhi to Srinagar, and thereafter, from Delhi to Bangalore was ultra virus in any manner.
52. Therefore, the statement of claim filed by the claimant filed by the claimant is hereby dismissed, being devoid of merits.
53. Attested copy of the award be sent to the Office of the Deputy Labour Commissioner, Government of NCT of Delhi of Distt./Area concerned for publication as per rules and judicial file be consigned to Record Room, as per rules after compliance of necessary legal formalities.



(PAWAN KUMAR MATTO)  
(ADDITIONAL DISTRICT & SESSIONS JUDGE)  
PRESIDING OFFICER LABOUR COURT-IX  
ROUSE AVENUE COURTS: NEW DELHI

Dictated & Announced through  
Video Conference using  
Cisco Webex on 24.08.2020