LID No. 186/18 Akash Mitra vs M/s Jaggi Brothers

29.07.2020

Present:-

Sh.L.C. Sharma, AR of the workman through video conference.

Sh. Vikas Kumar Sharma, AR for management M/s Jaggi Brothers

through video conference

Sh. Akashdeep Singh Jaggi, proprietor of M/s Jaggi Associates (who

is not party to the present lis) through video conference.

the present case against the has filed workman The management. Earlier on dated 27.07.2020, the matter was fixed for filing reply to the application filed by the workman and for framing of issues through video conference. As on 27.07.2020, AR of the workman had telephonically requested to the Reader of the court that the matter may be adjourned for 29.07.2020, as he wanted to file the original application to dispose of the present matter, as fully settled and compromise deed in the court on 28.07.2020.

Today, Id. AR for the workman has submitted that a settlement has been arrived at between the workman (claimant) and M/s Jaggi Brothers also M/s Jaggi Associates (M/s Jaggi Associates is not party to the present lis) and as per settlement arrived between the above mentioned parties on dated 23.07.2020, out of the court. The proprietor of M/s Jaggi Associate had paid a total settled amount of Rs. 50,000/- to the workman vide cheque bearing no. 016603 dated 23.07.2020 in the name of the workman (claimant) and that he had filed the original settlement dated 23.07.2020, (which also bears his signature) in the court on dated 28.07.2020



along with an application to dispose off the case and receipt, in view of the settlement arrived at between the above said parties. He has stated that this application is also signed by the him, the workman, proprietor of Jaggi Brothers and proprietor of M/s Jaggi Associates (which is not party to the present lis). The above said cheque of Rs. 50,000/- was received by the claimant (workman) from Sh. Akashdeep Singh Jaggi, who is the proprietor of M/s Jaggi Associates (which is not party to the present lis), in his presence and the workman had executed the receipt, which has also been filed by him on 28.07.2020 in the court along with the application and settlement and Sh. Akashdeep Singh Jaggi has assured to the workman that the above said cheque will be honoured on its presentation by the workman. The separate statement of Ld. AR of the workman has been recorded through video conference, which is as under:

"Statement of Sh. L. C. Sharma, B/o 284/4, Netaji Nagar, Linepar Area, Bahadurgarh, Haryana, on S.A.

(THROUGH VIDEO CONFERENCE)

I am the Authorized Representative of the workman in the present case. The workman has filed the present case against the management M/s Jaggi Brothers. During the pendency of the present case, a settlement has been arrived at between the workman and M/s Jaggi Brothers also M/s Jaggi Associates (M/s Jaggi Associates is not party to the present lis) and as per settlement arrived between the above mentioned parties on dated 23.07.2020. The proprietor of M/s Jaggi Associate has agreed to pay a total amount of Rs. 50.000/- to the workman vide cheque bearing no. 016603 dated 23.07.2020 in the name of the workman and I have filed the original settlement dated 23.07.2020, (which also bears my signature) in the court on dated 28.07.2020 along



with an application to dispose off the case and receipt, in view of the settlement arrived at between the above said parties. This application is also signed by the workman, myself, proprietor of Jaggi Brothers and proprietor of M/s Jaggi Associates (which is not party to the present lis).

The above said cheque of Rs. 50,000/- was received from Sh. Akashdeep Singh Jaggi, who is the proprietor of M/s Jaggi Associates (which is not party to the present lis) by the workman in my presence and the workman had executed the receipt, which was also been filled by me yesterday in the court along with the application and settlement and Sh. Akashdeep Singh Jaggi has assured to the workman that the above said cheque will be honoured on its presentation by the workman.

In view of settlement arrived at between the parties, in view of joint application and original settlement, receipt, filed by me in the court on dated 28.07.2020 and in view of the payment of the total settled amount to the workman by the proprietor of M/s Jaggi Associates, the present matter may be disposed off as fully and finally settled in the light of the settlement signed by the workman and proprietors of managements M/s Jaggi Brother and M/s Jaggi Associates. The workman will remain bound by the above said settlement and my statement, recorded today by this court through video conference. I am sending the copy of this statement through e-mail in the court and I am handing over the original signed statement to the Assistant Ahlmad, present today in the court.

RO&AC

sd/-

sd/-

(PAWAN KUMAR MATTO)

PRESIDING OFFICER:LABOUR COURT-IX

ROUSE AVENUE COURTS:NEW DELHI

29.07.2020

On hearing the statement of the ld. AR of the workman (claimant), Sh. Akashdeep Singh Jaggi, (proprietor of M/s Jaggi Associates, which is



not a party in the present lis) has also given his statement (through video conference), which is as under:

Statement of Sh. Akashdeep Singh Jaggi s/o late Sardar Taranjeet Singh Jaggi, proprietor of M/s Jaggi Associates, r/o T-4/11, Mangolpuri, Delhi. on S.A.

(THROUGH VIDEO CONFERENCE)

I am the proprietor of the M/s Jaggi Associates (which is not party to the present lis). The workman has filed the present case against the management M/s Jaggi Brothers. During the pendency of the present case, a settlement has been arrived at between the workman and M/s Jaggi Brothers also M/s Jaggi Associates (M/s Jaggi Associates is not party to the present lis) and as per settlement arrived between the above mentioned parties on dated 23.07.2020. I being the proprietor of M/s Jaggi Associate have agreed to pay a total amount of Rs. 50,000/- to the workman vide cheque bearing no. 016603 dated 23.07.2020 in the name of the workman and a settlement was also signed by me, workman, AR of the workman and proprietor of M/s Jaggi Brotehrs (management) and the said settlement dated 23.07.2020 in original along with an application to dispose off the case and receipt, in view of the settlement arrived at between the above said parties were filed by the AR of the workman in the court on 28.07.2020. That application and settlement were also signed by me, the workman, AR of the workman and proprietor of M/s Jaggi Brothers.

The above said cheque of Rs. 50,000/- was given by me to the the workman on dated 23.07.2020 in the presence of his AR Sh. L.C. Sharma and the workman had executed the receipt which was also filed by the AR of the workman in the court on dated 28.07.2020 along with the application and settlement. I have assured to the workman that the abovesaid cheque will be honoured on its presentation by the workman.

In view of settlement arrived at between the parties, in view of joint application and original settlement and receipt, filed AR of the workman in the court on dated 28.07.2020, the present matter may be disposed off as fully and finally settled in the light of the settlement arrived at between me and the parties to the present lis, I will remain bound by the above



said settlement and my statement, recorded today by this court through video conference. I am sending the copy of this statement through e.mail in the court and I am also handing over the original signed statement to the Assistant Ahlmad, present today in the court.

RO&AC

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(PAWAN KUMAR MATTO)

PRESIDING OFFICER:LABOUR COURT-IX ROUSE AVENUE COURTS:NEW DELMI

29.07.2020

After recording of statements of Id. AR for the claimant (workman) and Sh.Akashdeep Singh Jaggi, Sh. Akashdeep Singh Jaggi has sent the signed copies of their statements at the email address of this court. Ld. AR of the workman(claimant) Sh. L.C. Sharma and Sh. Akashdeep Singh Jaggi have handed over their original signed statements recorded today through video conference to the Assistant Ahlmad of this court.

In view of settlement arrived at between the above said parties, in view of joint application and original settlement and receipt, filed by AR of the workman in the court on dated 28.07.2020 and statements of the AR of the workman and Sh. Akashdeep Singh Jaggi (Proprietor of M/s Jaggi Associates, who is not party in the present lis), recorded today through video conference, the present matter is disposed off as fully and finally settled between all the above said parties.

All the parties will remain bound by the terms of settlement dated 23.07.2020 and the



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workman (claimant) will also remain bound by the statement of Sh. L.C. Sharma (AR of the workman(claimant) and Sh. Akashdeep Singh Jaggi will also remain bound by his statement.

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.

Ahalmad of this court is directed to send the copy of this order and copy of award 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
29.07.2020.

IN THE COURT OF Sh. PAWAN KUMAR MATTO, PRESIDING OFFICER, LABOUR COURT NO. 1X, ROUSE AVENUE COURTS: NEW DELHI

	186/18
LID no.	10/05/18
Date of institution	29/07/20
Date of Award	

Shri Akash Mitra

S/o Sh. Ghanshyam Mitra through: Janhitkari General Karmchari Union B-16, Rajendra Jaina Tower, Basement near Petrol Pump, Wazirpur Complex Delhi-110052

R/o H.No. RZ-431, Gali no. 7 Karan Vihar Part-4, Kirari Suleman Nagar Nangloi, Delhi 110041

....Workman (claimant)

Vs.

M/s Jaggi Brothers

T-4/10, and T-4/11 Phase-1, Mangolpuri, Delhi 110083

....Management

AWARD

- This award of mine will dispose off the statement of claim filed by the claimant namely Sh Akash Mitra against the management namely M/s Jaggi Brothers.
- The claimant has filed the statement of claim, stating therein that he

LID no. 186/18





worked with the management since 19.05.2003 as Helper and his last drawn wages were Rs. 5500/- per month. He has also stated that he started working in the management since the age of 13 years.

- 3. The claimant has also stated that he had worked with the management sincerely and honestly and he did not give any change of complaint to the management, therefore, his carrier was unblemished in the management. The claimant has alleged that he was not provided appointment letter, leave book, pay slip, annual and casual leaves, bonus and minimum wages, which were Rs.9568/- and on raising such demands, the management got annoyed and started harassing to the claimant.
- 4. The claimant has also alleged that this claimant was covered under the ESI in the year 2006 and prior to that his name was not entered in the record, despite of repeated demands and on dated 10.03.2016, the management illegally terminated his services and management had withheld his earned wages w.e.f. 01.01.2016 to 10.03.2016. He had served the demand notice dated 20.12.2016 to the management. But, it was not replied. He had sent a reminder of demand notice dated 21.02.2017, but, it was also not replied by the management and prayed for passing award of reinstating him in the management with full back wages.

LID no. 186/18



- 5. The notice of statement of claim was issued to the management and the management has filed written statement and denied the relationship of employer and employee between the claimant and the management.
- 6. During the pendency of the present case on dated 23.07.2020, a settlement has been arrived at between the claimant, management and also proprietor of M/s Jaggi Associates (who is not party to the present lis) and on dated 28.07.2020, the AR of the claimant had filed an application for disposal of case being settled, settlement and receipt of payment in the court, but, as the matter is being hearing through video conference and today the AR of the claimant and proprietor of M/s Jaggi Associates (who is not party to the present lis) have appeared through video conference.
- 7. Today, Id. AR for the workman has submitted that a settlement has been arrived at between the workman (claimant) and M/s Jaggi Brothers also M/s Jaggi Associates (M/s Jaggi Associates is not party to the present lis) and as per settlement arrived between the above mentioned parties on dated 23.07.2020 out of the court. The proprietor of M/s Jaggi Associate had paid total settled amount of Rs. 50,000/- to the workman vide cheque bearing no. 016603 dated 23.07.2020 in the name of the workman (claimant) and that he had filed the original settlement dated 23.07.2020, (which also bears

LID no. 186/18

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his signature) in the court on dated 28.07.2020 along with an application to dispose off the case and receipt, in view of the settlement arrived at between the above said parties. He has stated that this application is also signed by the him, the workman, proprietor of Jaggi Brothers and proprietor of M/s Jaggi Associates (which is not party to the present lis). The above said cheque of Rs. 50,000/- was received by the claimant (workman) from Sh. Akashdeep Singh Jaggi, who is the proprietor of M/s Jaggi Associates (which is not party to the present lis), in his presence and the workman had executed the receipt, which has also been filed by him on 28.07.2020 in the court along with the application and settlement and Sh. Akashdeep Singh Jaggi has assured to the workman that the above said cheque will be honoured on its presentation by the workman. The separate statement of Ld. AR of the workman has been recorded through video conference, which is as under:

"Statement of Sh. L. C. Sharma, R/o 294/4, Netaji Nagar, Linepar Arca, Bahadurgarh, Haryana. on S.A. (THROUGH VIDEO CONFERENCE)

workman in the present case. The workman has filed the present case against the management M/s Jaggi Brothers. During the pendency of the present case, a settlement has been arrived at between the workman and M/s Jaggi Brothers also M/s Jaggi Associates (M/s Jaggi Associates is not party to the present lis) and as per settlement arrived between the above mentioned parties on dated 23.07.2020. The proprietor of M/s Jaggi Associate has agreed to pay a total amount of

LID no. 186/18

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Rs. 50,000/- to the workman vide cheque bearing no. 016603 dated 23.07.2020 in the name of the workman and I have filed the original settlement dated 23.07.2020, (which also bears my signature) in the court on dated 28.07.2020 along with an application to dispose off the case and receipt, in view of the settlement arrived at between the above said parties. This application is also signed by the workman, myself, proprietor of Jaggi Brothers and proprietor of M/s Jaggi Associates (which is not party to the present lis).

The above said cheque of Rs. 50,000/- was received from Sh. Akashdeep Singh Jaggi, who is the proprietor of M/s Jaggi Associates (which is not party to the present lis) by the workman in my presence and the workman had executed the receipt, which was also been filed by me yesterday in the court along with the application and settlement and Sh. Akashdeep Singh Jaggi has assured to the workman that the above said cheque will be honoured on its presentation by the workman.

In view of settlement arrived at between the parties, in view of joint application and original settlement, receipt, filed by me in the court on dated 28.07.2020 and in view of the payment of the total settled amount to the workman by the proprietor of M/s Jaggi Associates, the present matter may be disposed off as fully and finally settled in the light of the settlement signed by the workman and proprietors of managements M/s Jaggi Brother and M/s Jaggi Associates. The workman will remain bound by the above said settlement and my statement, recorded today by this court through video conference. I am sending the copy of this statement through e.mail in the court and I am handing over the original signed statement to the Assistant Ahlmad, present today in the court.

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(PAWAN KUMAR MATTO) PRESIDING OFFICER:LABOUR COURT-IX ROUSE AVENUE COURTS:NEW DELIII 29.07.2020

8. On hearing the statement of the Id. AR of the workman (claimant), Sh. Akashdeep Singh Jaggi, (proprietor of M/s Jaggi Associates, which is not a party in the present lis) has also given his statement (through video conference), which is as under:

> Statement of Sh. Akashdeep Singh Jaggi s/o late Sardar Taranjeet Singh Jaggi, proprietor of M/s Jaggi Associates, r/o T-4/11, Mangolpuri, Delhi.

LID no. 186/18





(THROUGH VIDEO CONFERENCE)

I am the proprietor of the M/s Jaggi Associates (which is not party to the present lis). The workman has filed the present case against the management M/s Jaggi Brothers. During the pendency of the present case, a settlement has been arrived at between the workman and M/s Jaggi Brothers also M/s Jaggi Associates (M/s Jaggi Associates is not party to the present lis) and as per settlement arrived between the above mentioned parties on dated 23.07.2020. I being the proprietor of M/s Jaggi Associate have agreed to pay a total amount of Rs. 50,000/- to the workman vide cheque bearing no. 016603 dated 23.07.2020 in the name of the workman and a settlement was also signed by me, workman, AR of the workman and proprietor of M/s Jaggi Brotehrs (management) and the said settlement dated 23.07.2020 in original along with an application to dispose off the case and receipt, in view of the settlement arrived at between the above said parties were filed by the AR of the workman in the court on 28.07.2020. That application and settlement were also signed by me, the workman, AR of the workman and proprietor of M/s Jaggi Brothers.

The above said cheque of Rs. 50,000/- was given by me to the the workman on dated 23.07.2020 in the presence of his AR Sh. L.C. Sharma and the workman had executed the receipt which was also filed by the AR of the workman in the court on dated 28.07.2020 along with the application and settlement. I have assured to the workman that the abovesaid cheque will be honoured on its presentation by the workman.

In view of settlement arrived at between the parties, in view of joint application and original settlement and receipt, filed AR of the workman in the court on dated 28.07.2020, the present matter may be disposed off as fully and finally settled in the light of the settlement arrived at between me and the parties to the present lis, I will remain bound by the above said settlement and my statement, recorded today by this court through video conference. I am sending the copy of this statement through e.mail in the court and I am also handing over the original signed statement to the Assistant Ahlmad, present today in the court.

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(PAWAN KUMAR MATTO) PRESIDING OFFICER:LABOUR COURT-IX ROUSE AVENUE COURTS:NEW DELIII 29.07.2020

 After recording of statements of Id. AR for the claimant (workman) and Sh.Akashdeep Singh Jaggi, Sh. Akashdeep Singh Jaggi has sent the

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signed copies of their statements at the email address of this court. Ld. AR of the workman(claimant) Sh. L.C. Sharma and Sh. Akashdeep Singh Jaggi have handed over their original signed statements recorded today through video conference to the Assistant Ahlmad of this court.

- 10. In view of settlement arrived at between the above said parties, in view of joint application and original settlement and receipt, filed by AR of the workman in the court on dated 28.07.2020 and statements of the AR of the workman and Sh. Akashdeep Singh Jaggi (Proprietor of M/s Jaggi Associates, who is not party in the present lis), recorded today through video conference, the present matter is disposed off as fully and finally settled between all the above said parties. All the parties will remain bound by the terms of settlement dated 23.07.2020 and the workman (claimant) will also remain bound by the statement of Sh. L.C. Sharma (AR of the workman(claimant) and Sh. Akashdeep Singh Jaggi will also remain bound by his statement.
 - 11. 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.

Announced on 29.07.2020 through Video Conference using Cisco Webex PAWAN KUMAR MATTO
(ADDITIONAL DISTRICT & SESSIONS JUDGE)
PRESIDING OFFICER LABOUR COURT-IX
ROUSE AVENUE COURT:NEW DELHI



LID No. 882/16 Harsh Singh vs. Deltan Industries & Ors.

29.07.2020

Present: None for the parties.

The matter is fixed for filing of rejoinder and also for framing of issues.

Today, on calling of the case no one has appeared on behalf of any of the parties, in view of spreading of pandemic covid 19 to participate in the proceedings.

Ahlmad of this court has told to the court that rejoinder has not yet been filed.

So, the matter is ordered to be listed on the enblocked date i.e. 01.09.2020 for the same purpose.

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.

LIR No. 2622/16

Sanjay Rana @ Uday Singh vs. North Delhi Motors Pvt. Ltd.

29.07.2020

Present: None for the parties.

The matter is fixed for hearing final arguments.

But today, no one has appeared on behalf of any of the parties in view of spreading of pandemic Covid 19 to argue on the matter.

The Ahlmad of this court has told that the mobile phone numbers of the ARs of both the parties were not available on record. So, the court notices could not be issued to the ARs of both the parties to argue in the present matter through video conference.

Accordingly, the matter is ordered to be listed on the enblocked date i.e. 01.09.2020 for the same purpose.

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

29.07.2020



LID No. 462/16

Sunil Kumar vs. M/s Galaxy Automobiles Pvt. Ltd.

29.07.2020

Present: None for the parties.

The matter is fixed for hearing final arguments.

But today, no one has appeared on behalf of the parties in view of spreading of pandemic Covid 19 to argue on the matter.

The Ahlmad of this court has told that the mobile phone numbers of the ARs of both the parties were not available on record. So, the court notices could not be issued to the ARs of both the parties to argue in the present matter through video conference.

Accordingly, the matter is ordered to be listed on the enblocked date i.e. 01.09.2020 for the same purpose.

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.



LIR No. 582/19

Pradeep Kumar vs. Good Food Dietary Services

29.07.2020

Present: None for the parties.

The matter is fixed for filing of rejoinder and also for framing of issues.

Today, on calling of the case no one has appeared on behalf of any of the parties, in view of spreading of pandemic covid 19 to participate in the proceedings.

Ahlmad of this court has told to the court that rejoinder has not yet been filed.

So, the matter is ordered to be listed on the enblocked date i.e. 01.09.2020 for the same purpose.

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.

LID No. 461/16

Suraj vs. M/s Galaxy Automobiles Pvt. Ltd.

29.07.2020

Present: None for the parties.

The matter is fixed for hearing final arguments.

But today, no one has appeared on behalf of the parties in view of spreading of pandemic Covid 19 to argue on the matter.

The Ahlmad of this court has told that the mobile phone numbers of the ARs of both the parties were not available on record. So, the court notices could not be issued to the ARs of both the parties to argue in the present matter through video conference.

Accordingly, the matter is ordered to be listed on the enblocked date i.e. 01.09.2020 for the same purpose.

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.

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

29.07.2020

Present:

Sh. H.B. Singh, AR for the workman.

Sh. Gulshan Chawla, AR for the management.

The matter is fixed for today for hearing final arguments through video conference.

Notices to ARs for the parties were issued through whatsapp for hearing final arguments.

On calling of the case, Ld. ARs for both the parties have appeared through video conference.

Let arguments be heard.

Ld. AR for the workman has concluded his arguments.

The Ld. AR for the management, after part arguments seeks adjournment for 11.08.2020 for advance further arguments and to file written submissions.

In view of the request made by the Ld. AR for the management, matter is ordered to be listed on 11.08.2020 for hearing further arguments of the Ld. AR for the management.

AR for the management is at liberty to send the written submissions on the email address of this court. He is also directed to supply advance copy thereof to the AR of the workman.

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.



LID No. 381/16 Manoj Kumar Gupta vs. M/s Galaxy Automobiles Pvt. Ltd.

29.07.2020

Present: None for the parties.

The matter is fixed for hearing final arguments.

But today, no one has appeared on behalf of the parties in view of spreading of pandemic Covid 19 to argue on the matter.

The Ahlmad of this court has told that the mobile phone numbers of the ARs of both the parties were not available on record. So, the court notices could not be issued to the ARs of both the parties to argue in the present matter through video conference.

Accordingly, the matter is ordered to be listed on the enblocked date i.e. 01.09.2020 for the same purpose.

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.