

**Resumed on S.A.**

15) My name is Khemchand Mohanlal Solanki, aged 67 years, residing at Bandra, Mumbai. I have filed my examination in chief by way of affidavit at Exh.U-4. Contents therein are true and correct. It bears my signature.

**Further examination in chief by Advocate Shri. R.D. Bhat for second party -**

16) I have filed documents with List Exh. U-5. Document at sr. no. 1 is a copy of the registration certificate of my union. It is marked Article-A. Document no. 2 is a copy of the list of concerned employees. This list was prepared by the union. It bears my signature. Its original was given to the Labour Commissioner at the time of conciliation. The original is also on record. The copy is marked **Exh.U-6**. Document at sr. no. 3 (page no. 3 to 23) was received from hospital under RTI Act. Ld. Counsel of the first party submitted that he has no objection in admitting this document in evidence. It is marked **Exh.U-7**. Document no. 4 (page no. 24 to 132) is a copy of information obtained under RTI Act. I have brought the original thereof with me. The copy is marked **Exh.U-8**. Document at sr. no. 5 is an information received from provident fund authority regarding provident fund of the concerned workmen. It is marked Article-B.

**Cross-examination by Advocate Shri. D.H Patil for first party:-**

17) It is not true to say that I never annexed a list of workmen on whose behalf I was communicating with the employer. It is not true to say that I did not annex the list of workmen with my demand letter. Witness says it was annexed with a demand letter. It is true that I did not annex the list of workmen with my justification letter. Now I am shown a demand letter, the list of concerned workmen is not annexed to the demand letter. The witness says it was attached in the record and points out the origin of Exh.U-6. It is marked Exh.U-6 for identification. It is true that the reference letter was not annexed with a list of concerned workmen because I did not attach that list with my demand letter. Witness says I submitted a list of concerned workmen on 14.03.2023 in the conciliation proceeding. It is correct to say that I can represent only those workmen who are members of my union. It is true that I have not filed documents showing that those workmen are members of my union. The witness says I will file those documents. It is not correct to say that workmen in the list submitted by me are not workmen of BMC. I do not know that unions active in the BMC are recognised by BMC and they are given code numbers by BMC. It is true that my union is not recognised by BMC and code number is not given to it.

18) There are 10 to 11 demands in my demand letter. I can tell the demands which I am pressing before this court and which were raised in demand letter. I am pressing for the demands

mentioned in the reference order passed by the Labour Commissioner. Now I am shown prayer clause (a) of my statement of claim, the union will be satisfied if only this prayer is granted. I have not filed documents in respect of names of employees mentioned in Exh.U-6 sr. no. 1, 2, 5, 6, 10, 11, 13, 14, 15, 16 and 17 showing that they are employees of BMC. Witness says I have not filed documents of those employees whose identity cards were deposited with BMC, I filed documents of other employees. It is not true to say that I made a false statement that BMC terminated 15 employees. It is true that I do not have a document showing that they were terminated by BMC. I have not challenged termination of these employees before any court.

**Further cross-examination is deferred till next.**

**R.O.A.C.**

Dated: 25.11.2025

(V. G. RAGHUWANSHI)

Presiding Officer

Industrial Court, Mumbai.

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