

**Resumed on S.A. on 26.09.2025****Further cross-examination on behalf of respondents by Advocate Smt. Vedika Puri.**

11) It is true that I was working as driver of an ambulance since 2016. It is true that Mumbai Labour Union is recognized union in the hospital. I was a member of Mumbai Labour Union. It is true that a settlement was signed between Mumbai Labour Union and hospital on 16.02.2018. I have gone through settlement. I do not know that previous settlement expired on 31.03.2015. I do not know whether settlement dated 16.02.2018 was made applicable retrospectively. I know that the employees received arrears for period 01.04.2015 to 31.03.2019. It is true that all other employees besides those falling under 36(j) of the settlement, were paid arrears of the settlement.

12) Now I am shown settlement (Exh.U-22) page 15. I do not know that respondent did not pay me arrears due to clause 36(j) of settlement. It is not true that the respondent abided by the settlement. It is not true to say that respondent did not indulge into unfair labour practice as I was not entitled to arrears in view of clause 36(j) of Exh.U-22. It is true that I mentioned in para 2 of my complaint, respondent engaged in unfair labour practice from 25.06.2019. It is true that I am asking for relief for period March 2015 to June 2018. I am not aware whether there was no cause of action on and after 25.06.2019. It is true that settlement was signed on 16.02.2018 and I filed complaint on 26.08.2019.

13) It is true that suspension order was given to me on 14.01.2017. It is true that chargesheet was given to me on 30.01.2017. It is true that it was alleged in chargesheet that I was drunk while I was on duty. It is true that I was receiving suspension allowance when I was under suspension. It is true that domestic enquiry was conducted in pursuance of chargesheet. I participated in the enquiry. It is true that I was held guilty in the enquiry. It is true that I gave apology letter dated 18.05.2018 to the respondent. It is true that respondent was inclined to impose strict punishment, but as I submitted apology letter and on union's request, respondent suspended me for four days only instead of terminating my services.

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

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

Date: 26.09.2025.

(V. G. RAGHUWANSHI)  
Member  
Industrial Court, Mumbai.

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