

Resumed on S.A. on 12.03.2025

Further Examination in chief by Adv. Shri. A.D. Patwardhan for the First Party

16. The contents of my affidavit are true and correct and I signed on it after reading and understanding it. I have filed letter issued by Police Station, Talegaon MIDC to Police Commissioner, Pimpri Chinchwad dated 30.05.2022. [Verified from the original and found correct]. It is at **Exh. C-25.**

Cross Examination by Adv. Shri. Attar for the Second Party

17. I am serving in D.Y. Patil Educational Federation Trust. I was given written appointment letter in this regard. I am not serving in First Party institute. The First Party has given written authority to me to depose in present reference. I am unable to assign any reason as to why such written authority not filed on record. It is not true to say that no such written authority was given. It is true to say that I have not filed written authority issued by trust in Court. It is not true to say that I am having no concern with the present reference.

18. I am aware about the facts of the present case. I am aware about the letter dated 5.2.2019 now shown to me. It is at **Exh. U-56.** Now the letter dated 29.3.2019 shown to me. I am aware about said letter. It is at **Exh. U-57.** Such letters were not sent individually to the concerned employees. The First Party has not sent letter individually to the employees involved in present

reference calling upon them to join duties. Now the documents of muster filed before the Labour Commissioner by the First Party shown to me. Their contents are correct. They are at Page No. 55 to 107. They are collectively at **Exh. U-58**. I am unable to say that the First Party has not filed record of the concerned employees in respect of their last working day.

19. Now the portion marked "A", "B" and "C" of my evidence at Exh. C-22 read over to me. It is true to say that said facts are not mentioned in written statement at Exh. C-10.

20. The police has not recorded my statement in respect of matter referred in Exh. C-25. The police has recorded statement of concerned employees in present reference in said matter referred in Exh. C-25. I do not know whether statement of Ramchandra Sharmale was recorded in said matter or not. It is not true to say that I have falsely mentioned in my evidence regarding documents at Exh. C-25 though it was regarding filing of complaint.

21. I am aware that the salary of the employees in present reference used to get deposited in their bank accounts. It is not true to say that by giving less salary to said employees, the First Party used to deduct some amount of their salary. I do not know that in this regard the Second Party workmen have raised objection.

22. I joined the trust in the year 2016. I was involved in the working of the First Party during the period from January 2018 to November 2018 as Working Executive Director of Dr. D.Y.

Patil Educational Federation. I was personally connected with the termination of employees in the present reference. I was personally connected with said matter on 20.11.2018.

Question : Whether you are aware of the fact that the workmen involved in present reference were terminated on 20.11.2018 ?

Answer : No such incident of termination happened on 20.11.2018.

It is not true to say that on 20.11.2018 workmen in present reference were orally terminated by the First Party. It is not true to say that the First Party was not ready to take the workmen in present reference, hence they were not intimidated by letter to resume duty. It is not true to say that I am deposing falsely.

NO RE-EXAMINATION

R. O. A. C.

Date :- 12.03.2025
Place :- Pune.

(K.N. Gautam)
Member, Indl. Court, Pune.