

Resumed on oath (28/03/2024)

Further Examination in chief by Adv. Shri. Attar for the Second Party

11. The contents of my affidavit are true and correct and I signed on it after reading and understanding it. I have filed passbook of my account with Cosmos Bank. It is at Exh. U-27. I have also filed passbook of my account with HDFC Bank. It is at Exh. U-28. I have filed application dated 21.12.2021 made to Police Commissioner, Pimpri Chinchwad, Pune. It is at Exh. U-29.

Cross examination by Adv. A.D. Patwardhan for the First Party

12. It is true to say that my accounts with Cosmos Bank and HDFC Bank are in respect of deposit of my salary in said banks. It is true to say that I am having cheque books of both accounts with Cosmos Bank and HDFC Bank. It is true to say that I was working as watchman in First Party college. I became member of Second Party union about five years ago. It is true to say that I became member of Second Party union after 20.11.2018 i.e. date of my termination. It is true to say that prior to 20.11.2018 my relations with the First Party college was cordial. I do not know whether my Provident Fund was deducted when I was in service of First Party college. On 20.11.2018, I was orally terminated by one Sushant Patil on behalf of First Party college. I have not personally made any complaint with the management of the First Party college in this regard. After lodging of complaint on 21.12.2021 with police, the police asked me to approach Labour Court. I have filed police complaint in order to get justice. It is true to say that amounts withdrawn from my bank account with my

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signature. I have made complaint with police that the management of the First Party company forcibly causing me to withdraw money from my bank account but no such complaint was made with management of the First Party company. The police gave application to First Party college on the basis of my police report and sought explanation. I am unable to tell whether police complaint lodged by me was disposed of or not. On the basis of my letter to Police Commissioner, no action was taken. Mr. Sushant Patil told me that I may be sent to work on behalf of contractor. The said incident happened in the year 2008 before I was terminated. I have not made any written complaint to the management of the First Party regarding directing me to go to contractor for job. Now the witness says that I was asked to go to contractor for job on 20.11.2018.

13. For my livelihood, I am doing work in agricultural field if available. My sons are earning and residing with me. The earning of my sons are unable to meet our household expenses. I am earning about Rs. 2,000/- to Rs. 3,000/- per month after my so-called termination.

NO RE-EXAMINATION

R. O. I. A. C.

Pune:
Date : 28/3/2024

(K. N. Gautam)
Presiding Officer,
Industrial Tribunal, Pune.