

FURTHER EXAMINATION-IN-CHIEF ON OATH OF SHRI. NAVNATH BHAGCHANDRA FARGADE, SECOND PARTY BY SMT. NIDHALKAR, ADVOCATE

10] I have filed my evidence affidavit at Exh.U-11 and it is drafted and prepared by my Advocate. The contents of the same are true and correct and it bears my signature. Now I am shown documents filed at list Exh.U-15 Sr. No.1 and 2 are verified copies of my disability certificate and unique disability card. Those are marked as **Exh.U-18 and Exh.U-19** . At Sr No.3, I have filed copies of applications for employment , those are marked as **Article -A Colly**.

CROSS-EXAMINATION BY SHRI. A.R. JOSHI, ADVOCATE FOR THE FIRST PARTY.

11] It is true to say that, I have not filed any document to show that, since when I was in the employment of the first party company. It is true to say that, in support of my contentions in Para No.2 of my evidence affidavit not filed any document. It is true to say that, I was issued with warnings and memos time to time when I was in the employment of the first party company. It is not true to say that, I was suspended ever from service of the first party company. It is not true to say that, I deposed falsely that, my service tenure was clean and unblemished. It is true to say that, I have not filed document to show that, on which machine and department of first party I was working. It not is true to say that, as not filed any documents in support of the contents of Para No.2 of my evidence affidavit, the same are false. It is true to say that, the contents of Para No.4 to 6 of my evidence affidavit are related to my departmental enquiry which were already raised in the departmental enquiry. I do not know about the order passed by this Court on preliminary issues of enquiry.

12] Now I am shown documents filed at list Exh.C-3, Sr.No.4 is the finding forwarding letter dated 22.05.2019 which was issued by the first party company and it received by me. Referred and admitted hence marked as **Exh.C-8**. I do not recollect whether I have replied to the findings of the enquiry officer or not. It is true to say that, pursuant to the findings of the enquiry officer, the first party company dismissed me from its services. It is not true to say that, the punishment of dismissal awarded to me is just and proper.

13] According to me, I am having disability and due the same, I cannot perform the work properly. It is not true to say that, I have no capacity to work because of disability. WV states, he can not work on

the machine due to his disability. It is not true to say that, the contents of Para No.7 & 8 of my evidence affidavit are false.

14] It is not true to say that, I have not filed any document to show that, after termination, I have tried to get alternate employment. Now a days I am cultivating my agricultural land for day to day livelihood. I cannot tell exact income from agricultural land. I am having bank account in State Bank of India. I can produce extract of my bank account after my termination till date.

Cross Examination is adjourned on the oral request of Ld. Advocate for the first party.

**No-Re.
ROAC.**

Place : Pune.

Date : 20/11/2025

**Sd/-
(Shri. A. G. Magare.)
Presiding Officer,
Second Labour Court,Pune.**