

Examination-in-chief of witness no. 1 of applicant by Shri. Amit Waikos, Advocate for applicant

01. I have filed my evidence affidavit at Exh.U-6. Contents therein are true and correct. It bears my Signature.

Cross examination of witness no.1 of applicant by Shri. R. B. Muley, Advocate, for opponent no.1.

02. I am studied upto 11th Standard. I cannot read English language. I do not know the contents of my affidavit. My Advocate explained the contents of affidavit in marathi to me. I claimed difference of wages in my application and affidavit. It is true that, Maharana Agency Security and Labour Supplier Services has been made party in my application. For claiming difference of wages I have made opponent no.2 as a party to the proceedings.

03. The date of appointment mentioned in my application and evidence affidavit i.e. 14.10.2010 is incorrect. The witness volunteers that I was appointed earlier to 14.10.2010. It is true that I have not filed any documentary evidence to show that I worked with respondent prior to 14.10.2010. It is true to say that, I have not filed appointment letter. Witness volunteers that I have filed log book before this court. Another two agencies namely Galex, Jay Bajrang and P.Gopinath Reddy Company are working with opponent no.1 for garbage collection. It is true that, the work of said agencies is to collect garbage and to drop it at dumping ground. It is true that, agency provided *Ghanta Gadi* to collect the garbage. By agency (P.Gopinath Reddy) I have been provided vehicle bearing no.MH-20/EL-1096. It is true that, today also I am working on said vehicle.

04. Maharana Agency Security and Labour Supplier Services i.e. opponent no.2 has paid salary to me from October, 2010 upto 24.04.2019. I have not made any application to opponent no.2 or any authority about paying less wages to me. I accepted the salary without any dispute during said 9 years. I never left the job for the reason of less wages paid to me. It is true that, my colleagues also received same wages, which I was receiving. It is true that I have not mentioned the name of the person to whom and on which date I have requested to enhance my salary. I have not filed pay slip before this Court in support of Annexure 'A'. I have not filed the Notification of Minimum wages for the relevant period. It is not true to say that, I have received less wages than the Minimum wages is false. It is true that, opponent no.2 is liable to pay difference of wages to me. It is not true to say that, the calculation made in my application of Rs.3,96,480/- is false and incorrect. It is true that, opponent no.2 used to raise bills for monthly wages to opponent no.1 and accordingly opponent no.1 used to grant the amount of wages to opponent no.2, thereafter opponent no.2 has disbursed the said amount among the employees. Opponent no.1 never paid wages to me directly during the said nine years. It is not true to say that opponent no.1 is not liable to pay difference in wages to me for the said period. It is not true to say that, I have filed false and fabricated claim against opponent no.1. It is not true to say that I am deposing falsely.

Cross-examination – Over

No re-examination.

R.O. & A. C.

Sd/-

(Smt. M.R.Kolhar)

Dtd.06/09/2023

Judge, Labour Court-1, Aurangabad