

Cross examination by Ld. Adv. Shri S. R. Ambatkar for the Respondents :-

24. I do not know that Government Engineering College being under the control of the Government of Maharashtra new posts are filled in by publishing advertisement. I do not know whether the post of Lab. Assistant is a permanent post. It is true to say that I had applied for the post of Lab. Assistant after advertisement was published by the government but my application was rejected. It is true to say that rejection of my application by the government authority was challenged by me by filing proceeding before the court. It is true to say that my petition was rejected by the court. It is true to say that the said order was not challenged by me before any other appellate authority. It is true to say that due to rejection of my application for the post of Lab. Assistant I was not recruited by the respondents.

25. I do not have appointment letter in respect of my appointment as Lab. Assistant. Witness voluntary states that he was orally appointed for the said post. The Principal of Govt. Engineering College had given me the oral appointment. The said order was given to me by the Incharge Principal Shri Bongulwar on 01.07.1999. It is true to say that Principle Secretary to the State of Maharashtra had authority to recruit the post of Lab. Assistant. It is not true to say that I am deposing false that I was orally appointed by the then Principal. I do not know whether or not the then Principal had authority to appoint Lab. Assistant.

26. It is true to say that initially I was appointed as unskilled labour on daily wages. It is true to say that I was terminated from the service, therefore, I had approached before this court by filing Complaint (ULP) No. 77/2000. Document no. 01 filed along with list Exh. C-07 i.e. photo copy of order passed by Labour Court, Chandrapur in Comp. (ULP) No. 77/2000 is shown to me. It is true to say that this order was passed by the Labour Court, Chandrapur in the said matter. The other side has no objection to mark exhibit to this document, therefore, it is marked as **Exh. C-09**.

27. It is true to say that I had filed Comp. (ULP) No. 80/2009 before the Industrial Court, Chandrapur with a prayer to confirm me as a permanent employee on the post of Lab. Assistant. The said order is now shown to me. It is true to say that the said order is passed on my Complaint (ULP) No. 80/2009, the photo copy of said order is marked as **Exh. C-10**, since shown in cross examination.

28. It is true to say that the order passed by the Industrial Court in Comp. (ULP) No. 80/2009 was not challenged by me before any appellate court. The photo copy of retrenchment notice dated 31.05.2018 is now shown to me. It is the same which was sent to me by the respondents. It is marked as **Exh. C-11**. It is true to say that along with retrenchment notice demand draft of Rs. 93,555/- was given to me. I got to know from the retrenchment notice that I was terminated from the

service. It is true to say that I did not challenge retrenchment order within prescribed time limit before the Labour Court.

29. It is true to say that previous Comp. (ULP) No. 77/2000 was filed by me before the Labour Court within limitation, which was related to my earlier termination. I am B. Sc. Graduate. It is not true to say that I was well aware about the fact that the order of my termination dated 31.05.2018 need to be challenged before the Labour Court. It is true to say that in my petition filed before the Hon'ble M.A.T., the respondents in the present case had filed reply. I do not know whether the respondents in their reply before the Hon'ble M.A.T. had raised objection about tenability of the said proceeding. It is true to say that on the point of jurisdiction and objection raised by the respondents, my petition was rejected by the Hon'ble M.A.T. I have not produced copy of the order passed by the Hon'ble M.A.T. in the present proceeding.

The Ld. Adv. For the respondents orally requested to adjourn the matter till next date. Hence, cross deferred till next date.

Sd/-
(A. D. Tidke)
Judge,

Date- 17.07.2025

Labour Court, Chandrapur.