

Resumed on S.A.

Cross examination resumed on S.A. by Adv. Bennet D'Costa for second party :-

From 2012 I have been working in Administration Department. I had general administrative responsibilities. I was working under supervision and control of Mrs. Jayashri Katkar. It is not true to say that I had given evidence in the enquiry of Mr. Pravin Patil. I am aware of the workmen about whom I am testifying. I have not given evidence in any of the domestic enquiries of these workmen. I know that Mr. V. P. Jitekar was the Vice President of the Union. Mr. Jitekar was chargesheeted and enquiry was conducted against him. I did not testify in the enquiry of Mr. Jitekar. I had seen Mr. Surana in the year 2012. I had met Mr. Surana 2 to 3 times in that period in his office. Mr. Surana used to sit in his cabin. There was a place outside his cabin for people to sit down. I had not gone to the office of Mr. Surana in the year 2012 to prepare evidence in any enquiry. I do not recollect whether I had been to Mr. Surana's office in the year 2013. After the year 2013 I had been to the office of Mr. Surana. It was 2014 when I had been there. I had gone to Mr. Surana's office only once in the year 2014. I do not recollect as to by what time I reach the office of Mr. Surana in the year 2014. I had gone there during morning time. I came to know from my seniors that the enquiry was completed in the month of October 2014. My seniors had told me orally about this fact. I am not aware as to the exact details of the professional fees of Mr Surana. It is true to say that I have no knowledge of any of the bills of Mr. Surana. My

Senior Mrs. Jayashri Katkar had asked me to go to Mr. Surana on 08/12/2014. My colleague Mr. Prakash Pillai had accompanied me to the office of Mr. Surana. We were there in the office of Mr. Surana for about 10 to 15 minutes. Mr. Surana gave me 15 domestic enquiry files and logbooks. I collected those files and logbooks and took them to my office. I do not recollect whether I have given acknowledgment for having collected those documents from Mr. Surana. Whenever we give documents to workmen or any other person it is our general practice to take acknowledgment. I had not gone through the domestic enquiry files and logbooks given by Mr. Surana while collecting them. It is true to say that I did not put any endorsement about absence of findings in those files while collecting them. I had not opened the files and gone through them. It is true to say that I would not know as to whether the findings were there in the files. I do not have access to the E-mail account of Mrs. Jayashri Katkar. It is true to say that I had no personal knowledge about the E-mail sent by Mrs. Katkar on 08/12/2014. It is true to say that I had no personal knowledge about the E-mails sent by Mr. Surana to Mrs. Katkar. It is true to say that I had no personal knowledge about the E-mails sent by Mr. Surana to Mrs. Katkar on 09/12/2014.

I am not aware whether the company has appointed second enquiry officer. I have no personal knowledge about the enquiry papers after 08/12/2014. I did not write any letter to the company that the enquiry findings were not there in the files. I had only administrative role in respect of the enquiry conducted. It was just transferring of files concerning the enquiry. There was no work in the capacity of manager besides transferring the files.

It is not true to say that on seeing the findings of the enquiry not in favour of the management I just collected the enquiry files without findings and walked away. It is not true to say that I took out the findings from the enquiry files and gave it to Mr. Surana and returned with the remaining files. I have made some communication with Mr. Surana in writing or through E-mails from the year 2012 till now. I do not remember on which subject I had made that communication. I do not recollect whether my communication was in respect of enquiry proceeding. I do not recollect whether I had communicated with Mr. Surana in the year 2014. I do not remember exactly whether it was in respect of his fees. I do not recollect whether Mr. Surana had communicated with me through E-mail about the enquiry of these workmen in the year 2014. It is not true to say that I have falsely stated that I had no communication with Mr. Surana about the enquiry proceedings of these workmen.

No re-examination.

R.O.A.C.

sd/-

(A. M. Patankar)

Presiding Officer,

Third Labour Court, Thane

Date : 02/02/2023