

BEFORE THE HON'BLE PRESIDING OFFICER, LABOUR COURT, GURGAON, HARYANA

IN THE MATTER OF:-

Amit Kumar

Maniyarpur, PO- Varish Nagar,

Distt.- Samastipur, Bihar, (Bihar)

.....

WORKMAN/PETITIONER

Versus

M/s. Magsons Exports

Plot No. 41-42, Phase-IV,

Udyog Vihar, Gurgaon,

Haryana

.....

MANAGEMENT/RESPONDENT

SUBJECT: STATEMENT OF THE CLAIMS

Respectfully Sheweth,

1. That the workman **Amit Kumar**, S/o- Deepak Prasad Resident At- maniyarpur, PO- Varish Nagar, Distt.- Samastipur, Bihar, is employed with **M/s Magsons Export** as Sticker Man. The workman has been appointed on dated **11-03-2011**. His last drawn salary is **INR 6,250/- per month**. He was working in company with full honesty and integrity.
2. That the Management of the company has terminated the workman on **05.09.2014** without citing any reason and prior information and against the norms of Industrial Dispute Act, 1947, which is unlawful, unjustified and illegal. The Management not served any notice before his termination. The deed of the Management was not only illegal but also against the Labour laws and natural justice.
3. That the workman was never intended to leave this job and never made any such mistake, which may be reason of his termination. He was performing his duties with utmost sincerity. He severally requested to management to not terminate him as he is the only bread winner in family and totally depends upon income of salary.
4. That he has been called by personnel department and they have asked him to take her full and final without citing any reasons. They forcefully asked him to sign on the blank paper and told them that you are terminated.

5. That the management has terminated two co-workers at the same time named Suman Mishra and Shravan Kumar. These terminations come under unfair labour practices under Schedule-V of the Industrial Disputes Act, 1947.
6. That the above mentioned workman has already completed the tenure of 240 days in the said company hence she is eligible for all Labour rights under Industrial Dispute Act, 1947 and other Labour laws.
7. That the management did not pay salary and overtime wages on the time prescribed by law and with intention to criminal misappropriation of the worker's salary and its interest. Management repeatedly called him to factory for his payment but did not pay him and harassed him mentally and physically.
8. That the management has harassed and threatened workman, when he asked for his earned wages.
9. That the workman is still unemployed since he has been terminated from the company by the management.

PRAYER

It is therefore, most respectfully prayed that this Hon'ble Court may kindly be pleased to:-

- 1) Deliver an order/award to reinstate **Amit Kumar** in his original service along with full back wages and all other service benefit.
- 2) Pass an exemplary order to direct the management to pay Rs. 10,000/- as legal cost and cost for his sufferings and damages.
- 3) Pass an exemplary order against the management to implement all the statutory labour laws and social securities laws for the workman in the company premises.

It is prayed accordingly.

Through

Advocate/Representative

Petitioner

Amit Kumar