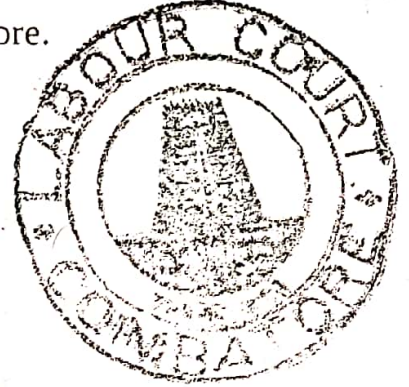


BEFORE THE ADDITIONAL LABOUR COURT, COIMBATORE.

PRESENT : Thiru. A.MANIMOZHI, B.A., LL.B.,  
Presiding Officer,  
Additional Labour Court, Coimbatore.

Friday, the 22<sup>nd</sup> Day of March 2019

INDUSTRIAL DISPUTE No.45/2014



P.Boopathy,

S/o.P.Paramasivam,

No.4/699-D, A.P. Nagar (East),

Nochipalayam Pirivu,

Palladam Road, Tirupur.

... Petitioner

..Vs..

The Management,

Pratik Hosiery (P) Ltd.,

No.15/18, K.R.R. Thottam,

Mangalam Road,

Tirupur - 641 604.

... Respondent

This Industrial Dispute coming on for final hearing before me on 12.03.2019 in the presence of Thiru.D.Sathish Sankar, Advocate for the petitioner; and Thiru.P.Thirugnanasambantham, Advocate for the respondent and upon perusing the petition, counter statement, documents

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and evidences and upon hearing the arguments of both sides and having stood over till this day for consideration, this court passed the following:-

### AWARD

This Industrial Dispute has been raised by the Petitioner u/s. 2-A (2) of the Industrial Disputes Act-1947, to set aside the oral termination of his services by the respondent on 14.11.2012 and to direct the Respondent to reinstate him into service with continuity of service, full back-wages and other attendant benefits.

#### 2. The averments of the claim petition are in brief as follows:

a) The respondent is a manufacturer of Ready-made Garments, who is engaged in local and export business. More than 200 workers are employed in the respondent company. The petitioner joined the respondent company on 08.08.2005 as cutting master in the cutting section and continuously worked for more than 240 days in each Calendar year, till the oral termination dated 14.11.2012. His last drawn monthly salary was Rs.20,000/- and at the time of termination he was employed as Production Manager. Even though, he was given the post as production manager, he was performing only the work of clerk and ordinary worker. The petitioner

petitioner from service the respondent has neither issued charge sheet nor conducted any enquiry and so the termination is in violation of Section 25-F of the I.D. Act, illegal and against the natural justice. The repeated requests of the petitioner for employment was not accepted by the respondent. Therefore, the respondent raised a dispute before the Labour Officer, Tirupur. In the conciliation proceedings the respondent did not participate despite several notices. Therefore, a Failure Report dated 26.09.2013 was submitted by the Conciliation Officer. The petitioner could not get any employment and so he is suffering with his family without any income. Hence, the claim petition.

**3. The averments made in the counter statement, are in brief as follows:-**

a) The respondent is a Ready made Garments Company in Tirupur. The petitioner was employed as Production Manager. His monthly salary was Rs.20,000/-. There is no doubt that the nature of works explained by the petitioner in paragraphs Nos.3 to 5 of the claim petition, are managerial functions. The averment that the petitioner was working only as a workman is not correct, which is well known to the petitioner. He has filed this petition only with an intention to extract money illegally, from the



never discharged any supervisory or managerial works. Therefore, the petitioner was only a workman as defined u/s.2(S) of the Industrial Disputes Act.

b) The petitioner has worked continuously for more than 12 hours every day. For the over time work the petitioner has requested the respondent to pay double wages. Further, he also raised a demand to the respondent to extend the E.S.I. and P.F. benefits to him and also to other workers who were working in the respondent company for several years. The Managing Director Mr.A.R.R.Venkatachalam did not accept the demand raised by the petitioner and he called the petitioner on 10.11.2012 and informed him that overtime wages, E.S.I and P.F. benefits would not be given to him. While so, on 14.11.2012 when the respondent was performing his work as usual, the Managing Director called him, paid Rs.10,000/- being the bonus amount for the year 2010 – 2011 in cash, and obtained his signature in a blank receipt. The petitioner informed the respondent that he did not want the amount and requested to provide him employment. But the Managing director refused to provide him employment and informed that the petitioner has been terminated from service from 14.11.2012 and so he need not report for work. The respondent has refused to issue the dismissal order. Before terminating the



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reply. The respondent is always ready to provide employment to the petitioner. After receiving the Diwali bonus in the year 2012, the petitioner did not send any letter to the respondent seeking employment. As the respondent never terminated or dismissed the petitioner from service, either orally or by an order, the respondent prays this court to direct the petitioner to report for work immediately. The petition is not maintainable as there was no termination. Hence, It is prayed to dismiss the claim petition as devoid of merits.

**4. The POINTS that arises for consideration are as follows:-**

- 1) Whether the petitioner has proved that he was a workman u/s. 2 (s) of the I.D. Act?
- 2) Whether the petitioner has proved the alleged oral termination of his services by the respondent on 14.11.2012?
- 3) Whether the plea taken by the respondent that the petitioner voluntarily left the service, is proved?
- 4) Whether the oral termination is illegal and liable to be set aside?
- 5) Whether this petition is maintainable u/s.2-A (2) of the I.D. Act?



respondent. He was not a workman. The respondent never terminated or dismissed the petitioner from service either orally or by written order and so Section 25-F of the I.D. Act would not attract to this case. The demands for P.F., E.S.I and Overtime Wages are to be dealt with under Section 2-K of I.D. Act. The averment that the Managing Director of the respondent informed the petitioner on 10.11.2012 that E.S.I., P.F. and Overtime Wages will not be given to him, is false.

b) The real fact was that the petitioner received the bonus amount for the year 2012 from the respondent and left by saying that he has planned to join another company after Deepavali and that he does not wish to work with the respondent anymore. Thereafter, he did not report for work from 14.11.2012. The respondent management would never obtain signature from any worker in the blank receipt. Similarly, the respondent did not obtain the signature of the petitioner in any blank receipt as alleged by the petitioner. The respondent has not received either the copy of application filed by the petitioner u/s.2-A (1) of the I.D. Act before the Labour Officer, Tirupur, or the Conciliation Failure Report dated 26.09.2013 said to have been submitted by the Labour Officer. If the respondent had received those records, it would have provided employment to the petitioner immediately and the respondent would have also filed



6) Whether the petitioner is entitled for the relief of reinstatement with continuity of service and other benefits?

7) To what other relief the petitioner is entitled to?

5. In the enquiry, the petitioner examined himself as W.W-1 and Exs.W-1 to W-3 were marked on the petitioner side. On the respondent side M.W-1 was examined and Ex.M-1 was marked.

6. Heard the arguments on both sides and carefully perused the records.

**Answer for the POINT No.1:**

7. The Petitioner has raised this dispute challenging the oral termination of his services by the respondent on 14.11.2012..

**Submissions:-**

8. The learned counsel for the petitioner would contend that the petitioner was lastly employed as Production Manager in Production Section in the respondent company. Though he was designated as

Production Manager, he was not discharging any supervisory or managerial functions but he was working only as a workman under the respondent and discharged only clerical and skilled nature of works. The respondent company has neither extended the statutory benefits like E.S.I, P.F. nor paid Overtime wages to the workers. The petitioner was demanding the respondent to provide the statutory benefits. Therefore, the respondent orally terminated him from service. The oral resignation pleaded by the respondent is not true. The respondent company orally refused employment to the petitioner without assigning any reason. The oral termination is illegal and unjustified. The same is liable to be set aside and appropriate relief is to be granted to the petitioner. As such, he prayed to allow this petition.

9. Per contra, the learned counsel for the respondent would contend that the petitioner was not working as a workman, but he worked only as a Production Manager and he had worked only in managerial and supervisory cadre. He himself orally resigned, and left from service after receiving bonus for the year 2012 and then did not report for work. The petitioner is gainfully employed elsewhere. Even though the respondent was ready to provide employment, the petitioner was not inclined to report



for work. He has filed this petition only to extort money from the respondent. He had served only for a short period of seven years in the respondent company. The respondent never refused employment to the petitioner. The petitioner is not a workman and so the petition is not maintainable. As such he prayed to dismiss the petition.

10. In the light of above submissions the crux of the matter arises for consideration is whether the petitioner is a workman within the meaning of Section 2 (s) of the Industrial Disputes Act.

11. Section 2 (s) of the Industrial Disputes Act defines "Workman" as follows:-

*"Workman" means any person (including an apprentice) employed in any industry to do any manual, unskilled, skilled, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied, and for the purpose of any proceeding under this Act in relation to an Industrial Dispute, includes any such person who has been dismissed, discharged or retrenched in connection with,*

or as a consequence of, that dispute, or whose dismissal, discharge or retrenchment has led to that dispute, but does not include any such person,

- i) Who is subject to the Air Force Act, 1950 (45 of 1950) or the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957); or
- ii) Who is employed in the police service or as an officer or other employee of a prison; or
- iii) Who is employed mainly in a managerial or administrative capacity; or
- (iv) Who, being employed in a supervisory capacity, draws wages exceeding one thousand six hundred rupees per mensem or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature."

#### ANALYSIS:-

12. The onus is only upon the petitioner to prove that he was employed only as a workman. To discharge the burden the petitioner



examined himself as W.W-1. In the paragraphs no.3 and 4 of the claim petition and chief proof affidavit, the petitioner has narrated about the nature of works discharged by him as a production manager. The said nature of works pleaded by the petitioner, was not disputed by the respondent. The respondent claims that the nature of works performed by the petitioner, were of managerial functions and not of an ordinary workman. Though the petitioner has not filed any document and supporting oral evidence to prove the nature of works performed by him, the pleadings and his evidence with regard to the nature of works carried out by him, which was not disputed, indicates that he was mainly looking after only the production related works. He has stated that he was attending the preparation to delivery challan, maintenance of registers relating to production, quality checking of sample pieces, repairing of sewing machines, and packing of cartoon boxes after verification of sample pieces etc.,. These works are undoubtedly deemed to be of clerical and skilled nature.

13. Further, M.W-1 the respondent witness also, during cross-examination, at page no.6, has clearly deposed as under:-

மனுதாரரின் பொறுப்பு என்ன என்றால் உற்பத்தி

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பிரிவில் தயாரிக்கப்பட்ட ஆடைகளின் அளவு மற்றும் தரத்தை சரிபார்த்து பிறகு பேக்கிங் பிரிவிற்கு அனுப்ப வேண்டியது மனுதாரரின் பொறுப்பு ஆகும்.

14. The above evidence of M.W-1 also clearly indicates that the petitioner was looking after only the production works and that he was not provided with any managerial or supervisory functions.

15. The petitioner has pleaded and deposed evidence as W.W-1 that he had worked only as a workman in the respondent company and his predominant nature of work was only clerical and skilled in nature. These evidences show that the petitioner has discharged the initial burden cast upon him to prove that he was a workman. The nature of work attended by the petitioner has also not been disputed by the respondent specifically. So, now the burden is shifted to the respondent to prove that the petitioner was performing only managerial functions.

16. It is settled law that mere nomenclature / designation of a post or salary are not the criteria to assess the nature of an employment and that



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the principal / predominant nature of duties and functions are alone to be looked into to determine the issue. [2002 II LLJ 275 (SC) and 2011 I LLJ 200 (Bom), relied on by petitioner]

17. In 1999-LLR-Page 21 (Bombay High Court), tests laid down by the Apex Court to decide the nature of work has been reiterated as follows:-

### HELD

In so far as the Apex Court is concerned, some of the tests laid down are:

- 1) Designation is not material but what is important is the nature of work.
- 2) Find out the dominant purpose of employment and not any additional duties, the employee may be performing.
- 3) Can he bind the Company / employer to some kind of decisions on behalf of the Company / employer.
- 4) Has the employee power to direct or oversee the work of his subordinates.
- 5) Has he power to sanction leave or recommend it; and
- 6) Has he has the power to appoint, terminate or take disciplinary action against workmen.

**FURTHER HELD**

From the judgments of the Bombay High Court and the other High Courts some of the tests apart from what the Apex Court has stated are:

- a) Whether the employee can examine the quality of work and assess whether such work is performed in satisfactory manner or not;
- b) Does the employee have powers of assigning duties and distribution of work;
- c) Can he indent material and distribute the same amongst the workmen;
- d) Even though he has no authority to grant leave does he have power to recommend leave;
- e) Are there persons working under him;
- f) Has he the power to supervise the work of men and not merely machines;
- g) Does he mark the attendance of other employees;
- h) Does he write the confidential reports of his subordinates.

18. Based on the above tests laid down in the above decision, if the case on hand is scrutinized, the facts and circumstances would clearly



reveal that the petitioner was employed in the production section only as a workman and that he was not entrusted with any other managerial or supervisory functions. The respondent has not adduced any evidence to prove his contention that the petitioner was discharging only supervisory / managerial functions.

19. A Manager must be in a position to give orders and see that the work is done. He must have power to lay down the norms, to direct that the work be done in terms of those norms, power to take disciplinary action and where application for leave is made to sanction or reject those applications. There is absolutely no record to show that the petitioner was supervising the work of any of the employees in his section and was performing managerial functions. There was no evidence to show that any of the employees working in the section were reporting to the petitioner. On the other hand the petitioner himself was reporting to his superiors. The petitioner did not have the power to sanction leave to any of the employees who were working in the section. He is neither the appointing authority nor the disciplinary authority. No policy- decision could be taken by the petitioner. These aspects were extracted by the petitioner during the cross-examination of M.W-1, which has been reproduced below:-



...மனுதாரர் எங்கள் நிறுவனத்தில் வேலையில் சேர்வதற்கு பணி நியமன உத்தரவு வழங்கினோமா என்றால் வழங்கினோம். மனுதாரரின் பணி நியமன உத்தரவு நகல் எங்களிடம் உள்ளதா என்றால் உள்ளது. அதனை நீதிமன்றத்தில் ஒப்படைக்க முடியுமா என்றால் முடியும். பணிநியமன உத்தரவில் மனுதாரரின் பொறுப்புகள், கடமைகள் உள்ளதா என்றால் உள்ளது. மனுதாரரின் பணிநியமன உத்தரவு நாங்கள் இந்த வழக்கில் தாக்கல் செய்யவில்லை என்றால் ஆமாம்... மனுதாரரின் பொறுப்புகள் மற்றும் கடமைகளை எதிருரையில் நாங்கள் கூறவில்லை என்றால் ஆமாம்...  
...மனுதாரர் என்னென்ன மேற்பார்வை பணிகள் செய்தார் என்று எதிருரையில் கூறியுள்ளோமா என்றால் இல்லை...

20. M.W-1 is the Administrative Officer of the respondent company, who joined in service of the respondent on 12.07.2014, ie., about two years after the alleged oral termination of the petitioner. He clearly





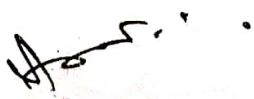
petitioner was discharging managerial functions. It is clear that the respondent has not discharged the onus shifted on him.

21. For the foregoing reasons, this court comes to the conclusion that the petitioner was a 'Workman' and he was working only as a workman in the respondent management at the relevant time and accordingly point No.1 is answered.

#### **Answer for the Points Nos.2 to 4:-**

##### **Oral Resignation Vs Oral Termination:-**

22. The respondent claims that the petitioner received the bonus for the year 2012, orally resigned, left the service voluntarily and did not report for work from 14.11.2012. But, the petitioner claims that as he demanded the respondent to extend the statutory benefits, he was orally terminated from service on 14.11.2012. The respondent has only stated that the petitioner voluntarily left the employment. M.W-1 has clearly admitted that there is no document to show that the alleged oral resignation of the petitioner was accepted by the respondent. Further, he clearly stated that the resignation of the petitioner was not accepted and so gratuity and other monetary benefits was not settled to the petitioner so far. It is to be noted



admitted that he was deposing only on the basis of records and that he had no direct knowledge about the dispute between the petitioner and the management. He has stated that he perused the staff register and delivery register. According to him the petitioner had signed in those registers. The respondent claims that two types of attendance registers are maintained by the respondent, one was meant for workers and the other one was meant for officers and that the petitioner had signed only in the register meant for officers. The petitioner has also admitted that two types of attendance registers are maintained by the respondent, but he has stated that he would sign only in the attendance meant for ordinary workers. That being so, the respondent is bound to produce the attendance registers to prove its stand, since the registers are in its custody, but the respondent has not produced any documents / registers, except Ex.M-1 which is the Authorization Letter given by the management in favour of M.W-1 to depose evidence before this court. The hear-say evidence of M.W-1 and Ex.M-1 Authorization Letter are alone no way sufficient to prove that the petitioner exercised only supervisory / managerial functions. In the absence of appointment order and other documents containing the nature of works entrusted to the petitioner, merely on the basis of the nomenclature of the post and the averments made in the counter statement, it cannot be deemed that the



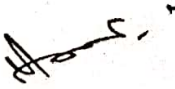
that the respondent has not taken any action against the petitioner for alleged absenteeism. The respondent claims that the petitioner has worked as a manager and exercised managerial / supervisory powers. When that be the case , if really, had the petitioner been absented for work suddenly, the respondent would not have simply kept quiet without taking any action against the petitioner, as rightly pointed out by the learned counsel for the petitioner. Inaction on the part of the respondent indicates that the allegation of absenteeism / oral resignation / voluntary abandonment of service, could not be true. So, the allegation of oral resignation by the petitioner on 14.11.2012, is unbelievable. The respondent has not examined any witness to prove the alleged resignation of the petitioner. Hence, it is clear that the oral termination, pleaded by the petitioner is possible and believable.

23. Further, the petitioner / W.W-1 in his evidence clearly stated that he directly approached the respondent management on several dates and requested for reinstatement and only after that he raised conciliation proceedings before the Labour Officer on 30.01.2013. The respondent has not inclined to produce the visitors register maintained by the security / gate keeper to disprove the evidence of the petitioner. These circumstances

*Ans.*

would lead to a presumption that in fact the petitioner ought to have been refused employment by the respondent, as claimed by the petitioner.

24. The evidence of W.W-1 makes it clear that there was denial of employment and that the date of his last working day was 14.11.2012. Ex.W-2 is the Copy of Section 2-A (1) petition filed by the petitioner before the Conciliation Officer. In Ex.W-3, the Conciliation Failure Report, the details of the dispute raised by the petitioner u/s.2-A (1) of the I.D. Act before the conciliation officer, has been clearly mentioned. Merely because there was about two months delay in raising the dispute, the denial of employment cannot be ruled out. It is to be noted that no Remarks / Reply was filed by the respondent before the Conciliation Officer. The conciliation ended in a Failure Report due to the adamant attitude on either side, as seen from Ex.W-3. That being so, it could be presumed that due to the controversy regarding the demand for payment of overtime wages and other statutory benefits, the respondent would have refused employment to the petitioner. Therefore, it is to be deemed that the petitioner has proved refusal of employment by the respondent and as such discharged the initial burden imposed upon him. So, now it is for the respondent to disprove the same.



25. From the counter statement and evidence of M.W-1, the case of the respondent is that the petitioner orally resigned and voluntarily abstained from reporting for work, after receiving the bonus amount for the year 2012. However, it is to be noted that no action was taken by the respondent against the petitioner regarding the alleged misconduct. Had the petitioner absented for work and committed misconduct, the respondent would have definitely taken action against him. But no such action was taken by the respondent. The burden is only upon the respondent to prove the abandonment of service by the petitioner [1988 1 LLN 259 (Bom) and 2012 (2) LLN 130 (Del), relied on by petitioner]. It is to be noted that the respondent has not adduced any evidence to prove the same. There is no evidence to show that any notice / show cause was sent to the petitioner calling for explanation for his unauthorized absence. It is clear that the respondent has not discharged the burden of proof cast on him.

26. It is also no more *res-integra* that even in a case of unauthorized absenteeism or to prove abandonment of service on the part of the workman, the management must place on record necessary material to

prove that enough efforts were made by it to call upon the workman to resume back his duty and the workman has shown his clear reluctance for the same. It is admitted that the respondent has not issued any such notice to the petitioner. Hence, this court finds no merits in the contention raised on behalf of the respondent.

27. For the foregoing reasons and discussions this court holds that the respondent has not proved the allegation of oral resignation / absenteeism / voluntary abandonment of service, leveled against the petitioner and that the petitioner has proved the oral termination of his services by the respondent on 14.11.2012.

28. The continuous service of the petitioner for more than 240 days, preceding the oral termination, is not in dispute. The services of the petitioner was orally terminated by the respondent without following the procedures laid down u/s.25-F of the I.D. Act. The petitioner has joined the service in the year 2005 and rendered his service for over 7 years without giving room for any complaint. There is no allegation of any past misconduct against the petitioner. He has been refused employment only

M.W-1 in Page No.10). If really the petitioner was in dire need of employment, he would have reported for duty and then continued to contest for other reliefs. The petitioner ought to have first accepted the offer and get reinstated in employment with the respondent and thereafter agitated about his other demands. But the petitioner has not acted in the prudent manner. The petitioner has admitted in the cross-examination that he did not make any attempt to report for work and that he did not send any letter to the respondent stating his readiness to report for work. However, it is clear that the petitioner is entitled for reinstatement into service with continuity of service, as the termination was illegal and already set aside.

31. The petitioner has claimed **back-wages** for the period of non-employment. The learned counsel for the petitioner by relying upon the decision reported in **2005 (1) LLN 540 (High Court of Bombay)** contended that, retrenchment in violation of Section 25-N entitles the employee to claim all benefits / full back-wages. The said decision has been given in a case involving different facts and circumstances. Further, in the recent decision reported in **AIR-2016-SC-3225** it has been reiterated / held that the payment of back-wages in its entirety is not automatic consequent upon declaration of dismissal order bad in law and that the concept of discretion is inbuilt in such exercise. So, the contention



for mere asking of increase in the salary and other statutory benefits and so the oral termination is illegal and liable to be set aside and accordingly set aside. Points No.2 to 4 are answered accordingly.

**Answer for the Points Nos.5 to 7:-**

29. In the points no.2 to 4, this court has decided that the petitioner was orally terminated from service and that the termination is illegal and as such set aside the oral termination dated 14.11.2012. In view of the above conclusions it is clear that this petition u/s.2-A (2) of the I.D. Act is absolutely maintainable. Accordingly point No.5 is answered.

30. Now, as far as the question of reinstatement into service is concerned, though the petitioner has sought for the same in the claim petition, already the respondent has clearly expressed its readiness and willingness to reinstate the petitioner into service with continuity of service but without back-wages and other attendant benefits. Before this court the respondent made the offer in the counter statement and evidence. But the petitioner, insisting for a payment of full back-wages for the period of non-employment, as a condition precedent for reporting to work, declined the offer made by the respondent. (Reference made in the cross-examination of



of the petitioner does not merit acceptance. Though the petitioner has pleaded that he was not gainfully employed elsewhere, he has not adduced any evidence to prove the same. The oral termination was dated 14.11.2012. The petitioner approached the Conciliation Officer only on 30.01.2013. He raised the present dispute before this court only on 24.07.2014 though the Failure Report was submitted as early as on 26.09.2013. The respondent filed the counter statement on 30.09.2015, stating its readiness to reinstate the petitioner in service and a separate memo was also filed on the said date, but the petitioner has neither shown any interest to report for work nor to proceed with the enquiry for the past many years and so he has to bear the consequences of the delay. The petitioner has been residing in Tirupur where many textile industries are situated. Further, as the petitioner was technically qualified and an experienced worker, he could have availed alternate employment and earned a considerable income. No prudent person will remain idle for over 7 years. It is to be noted that though the respondent appeared on few dates for conciliation, it did not file any reply. The perusal of Ex.W-3 Failure Report reveals that the respondent management had not expressed its readiness to provide employment to the petitioner, at the time of conciliation proceedings.



32. Considering the above aspects, facts and circumstances of this case and the delay on the part of the petitioner, this court feels that interest of justice would be met by granting 25% of the back-wages, to the petitioner from the date of oral termination till 30.09.2015 (The date on which counter statement and memo was filed by the respondent with an offer of employment). The petitioner is not entitled to claim back-wages after 30.09.2015 and he is not entitled for any other benefits. Accordingly points Nos.6 and 7 are answered.

**RESULT:-**

33. In the result, an Award is passed as follows;

(i) That the oral termination dated 14.11.2012 issued by the respondent is set aside;

(ii) That the respondent is directed to reinstate the petitioner into service with continuity of service, within one month from the date of coming into force of this award;

(iii) That the respondent is directed to pay 25% back-wages to the petitioner from the date of oral termination till 30.09.2015;



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(iv) That the petitioner is not entitled for any other benefits;  
and

(v) That the parties are directed to bear their own costs.

Dictated to Steno Typist directly and typed by her in computer directly,  
corrected and pronounced by me in open Court this 22<sup>nd</sup> day of  
March 2019.

*Amr*  
*22/3/19*  
PRESIDING OFFICER,  
ADDITIONAL LABOUR COURT,  
COIMBATORE.

**LIST OF WITNESSES EXAMINED**

For Petitioner's Side:-      W.W-1      Mr.P.Boopathi.

For Respondent's Side:-      M.W-1      Mr.G.Sairam

**LIST OF EXHIBITS MARKED**

For Petitioner's Side:-

Ex.W-1      18.11.2011      Copy of Salary Certificate of the petitioner.

*Amr*

Ex.W-2 30.01.2013 Copy of Petition filed by the petitioner u/s.2-A (1)  
before the Labour Offiicer, Tirupur.

Ex.W-3 26.09.2013 Conciliation Failure Report.

**For Respondent's Side:-**

Ex.M-1 12.11.2018 Authorization Letter given by the respondent in favour  
of M.W-1.

*Handwritten signature*  
22/3/19

PRESIDING OFFICER,  
ADDITIONAL LABOUR COURT,  
COIMBATORE.

*// TRUE COPY //*

*Handwritten signature*

Presiding Officer  
Additional Labour Court  
Coimbatore