

Witness Present and Duly Sworn on 17-07-2019

Cross-Examination : By Sri S.A.S. Adv for the II party.

It is true to suggest that I was joined as Trinee Driver in the respondent corporation and at the time of my termination also I was working as Trainee Driver. At the time of my termination I

was working in Dharmastala Depot. I was not given any representation seeking to regularize my service.

It is true to suggest that I was received Show Cause Notice as per Ex.M3. I was not given reply to Ex.M3. It is true to suggest that thereafter enquiry officer was appointed as per Ex.M4. It is true to suggest that enquiry officer issued six Enquiry Notices as per Ex.M5. It is true to suggest that I was not appeared before E.O. on 08-02-2012. It is true to suggest that I was given representation before the E.O. requesting for his appearance and for permission to proceed with the enquiry proceedings. It is true to suggest that thereafter I was permitted to cross-examine the management witness and the document now shown to me is the cross examination of the management witness and it bears my signatures. Since, the document is admitted by the witness same is marked as Ex.M11. and signature of the witness is marked as Ex.M11(a). It is true to suggest that I was also appeared before the E.O. on 29-03-2012 and submits that no evidence on my side. Now the document shown to me is the enquiry made by the E.O. and it bears my signature and said document is marked as Ex.M12 and signature of the witness is marked as Ex.M12(a). It is true to suggest that in my application I have stated that E.O. has not provided sufficient opportunity to defend the case. To the question that did you intimate the same in writing to the higher officials of

the second party, witness deposed that he orally intimated over phone. I had problem to make written representation. Since, my mother was suffering form Cancer I was not able to make written representation. It is false to suggest that enquiry proceedings was conducted in accordance with the procedure laid down and also provide sufficient opportunity to defend the case.

Re-Examination-Nil.

(Typed to my dictation in the open court)

R.O.I & A.C.

Presiding Officer, Labour Court
D.K., Mangaluru.

