

(2010) 09 GUJ CK 0040

In the Gujarat High Court

Case No : Special Civil Application No's. 1489 of 2001 and 10407 and 14872 of 2003

Atul Steel Rolling Mills Pvt. Ltd.

APPELLANT

Vs

Premchand Bhimchand Verma

RESPONDENT

Date of Decision : 13-09-2010

Acts Referred:

Citation : (2010) 09 GUJ CK 0040

Hon'ble Judges : Mukesh R. Shah, J

Bench : Single Bench

Advocate : Varun K. Patel, for K.M. Patel, for the Appellant; Mukesh H. Rathod, for the Respondent

Final Decision : Dismissed

Judgement

M.R. Shah, J.—Special Civil Application No. 1489 of 2001 has been preferred by the petitioner-Employer/Management to quash and set aside the impugned judgment and award dated 17.5.2000 passed by the Labour Court, Ahmedabad passed in Reference (LCA) No. 1494 of 1986.

1.1. Special Civil Application No. 14872 of 2003 has been preferred by the petitioner-Employer/Management challenging the order dated 6.5.2003 passed by the Labour Court, Ahmedabad passed in Recovery Application No. 4082 of 1996.

1.2. Special Civil Application No. 10407 of 2003 has been preferred by the petitioner-Employer/Management challenging the impugned judgment and award dated 17.5.2000 passed by the Labour Court, Ahmedabad passed in Reference (LCA) No. 1494 of 1986 (subject matter of Special Civil Application No. 1489 of 2001).

2. Today, when all these petitions are taken up for final hearing, learned advocates for the respective parties have produced on record the consent terms dated 12.9.2010 signed by the respective parties and signed by their learned

advocates by which the respondent has agreed to accept, a total sum of Rs. 100,000/- towards full and final settlement of all the disputes between the parties including the claim of the workman for reinstatement in service with 50% back wages payable under the award dated 17.5.2000 passed in Reference (LCA) No. 1494 of 1986 as well as amount payable under Recovery Application No. 4082 of 1996. It is reported that the aforesaid sum of Rs. 1,00,000/- is already paid to the respondent workman. Therefore, it is requested to disposed of all these petitions in terms of consent terms dated 12.9.2010. It is reported that under the aforesaid consent terms workman is required to withdraw the Special Civil Application No. 10407 of 2003 and Shri D.M. Devnani, learned advocate for Shri Rathod, learned advocate for the petitioner of Special Civil Application No. 10407 of 2003 seeks permission to withdraw the said Special Civil Application. Accordingly, Special Civil Application No. 10407 of 2003 is dismissed as withdrawn. Rule discharged. No costs.

3. Now so far as Special Civil Application No. 14872 of 2003 and Special Civil Application No. 1489 of 2001 are concerned, in view of the consent terms arrived at between the respective parties dated 12.9.2010, both these petitions are disposed of in terms of consent terms dated 12.9.2010 and judgment and award passed by the Labour Court, Ahmedabad passed in Reference (LCA) No. 1494 of 1986 is modified to the extent that on payment of a total sum of Rs. 1,00,000/-, thereafter, there shall not be any claim of the respondent workman against the petitioner-Atul Steel Rolling Pvt. Ltd., since re-named as Sulekhram Steel Ltd and Sulekhram Steel Pvt.Ltd under the aforesaid Reference (LCA) No. 1494 of 1986 and Recovery Application No. 4082 of 1996. Rule is made absolute to the aforesaid extent so far as Special Civil Application No. 14872 of 2003 and Special Civil Application No. 1489 of 2001 are concerned. No costs.