

(2012) 12 GUJ CK 0082
In the Gujarat High Court

Case No : Special Civil Application No's. 2501 and 2504 of 2002

Vijay Co-Operative Bank Ltd.

APPELLANT

Vs

Anil Bachubhai Patel and Others

RESPONDENT

Date of Decision : 21-12-2012

Acts Referred:

Citation : (2012) 12 GUJ CK 0082

Hon'ble Judges : K. S. Jhaveri, J

Bench : Single Bench

Advocate : K.M. Patel, With Mr Varun K. Patel, for the Appellant; H.L. Patel Advocate for Respondent (S) No. 1, Mr. Paritosh Calla, Advocate for Respondent (S) Nos. 2 - 3, Mrs Yogini V. Parikh, Advocate for Respondent (S) No. 1, Rule Served for Respondent (S) No. 3 and Rule Served By DS for Respondent (S) Nos. 2 - 3, for the Respondent

Judgement

Honourable Mr. Justice K.S. Jhaveri

1. This petition is directed against the order dated 18.12.2001 passed by the Industrial Court, Ahmedabad in Appeal (IC) No. 44 to 47 of 1999 as well as the common order dated 09.03.1999 passed by Labour Court, Ahmedabad in T-Applications No. 638, 639, 641 & 587 of 1987. Mr. K.M. Patel, learned Senior Counsel appearing for Mr. V.K. Patel for the petitioner, under the instructions of the petitioner, states that a lumpsum amount of Rs. 1,00,000/- as compensation shall be paid to each of the respondent workmen in lieu of their claim towards reinstatement and/or backwages as well as all terminal benefits. The respondents-workmen have agreed to accept lumpsum amount of Rs. 1,00,000/- as full and final settlement of claim which shall include all the terminal benefits accruing in favour of the respondents workmen. Accordingly, with the consent of the parties the following order is passed:

(i) The petitioner shall pay the respondents workmen an amount of Rs. 1,00,000/- each as full and final settlement towards the claim.

- (ii) The amount shall be paid within a period of one month from today.
 - (iii) The said amount of Rs. 1,00,000/- shall be inclusive of all the retirement and other dues and terminal benefits payable to the respondent workmen.
 - (iv) The orders of the labour court and Appellate Authority are substituted accordingly.
 - (v) It is clarified that if the amount is not paid within the stipulated time it shall be open to the respondents to revive these petitions.
2. With the above directions, petitions stand disposed of. Rule is made absolute to the aforesaid extent.