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% 27.08.2009

Present:- Mr. S.K. Kalia for the petitioner.
Mr. H.K. Chaturvedi for the respondent.

+ W.P.(C.) No. 8209/2007

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The workman in this writ petition filed against the management is aggrieved by the inadequacy of compensation of Rupees One Lakh awarded to him by the Industrial Adjudicator vide impugned award dated 07.07.2006. This amount was awarded to him in lieu of his claim for reinstatement and back wages after alleged termination of his services by the management of the respondent w.e.f. 09.03.2000 after he had worked for about 16 years with the respondent No. 1 management. The petitioner has prayed for his reinstatement and back wages.

The management of respondent has also filed a separate writ petition being W.P. (C.) No. 6473/2008 against the same award of the Industrial Adjudicator dated 07.07.2006 and the management seeks setting aside of the said award on the ground of perversity.

Both these petitions filed by the parties against each other have been taken up for hearing together. In the course of hearing, counsel for both the parties have agreed for passing of a consent order. The petitioner being the workman is present in Court. Mr. S.K. Kalia, learned counsel appearing on behalf of the management is stated to have taken instructions from his client.

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Signature Not Verified

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physical file have been compared and
the digital data is as per the physical
file and no page is missing.

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Mr. H.K. Chaturvedi, learned counsel appearing on behalf of the petitioner, submits that his client will not press the present writ petition in case the award amount of Rupees One Lakh deposited by the management of the respondent with this Court pursuant to interim order dated 26.11.2007 is released in favour of his client.

Mr. S.K. Kalia, learned counsel appearing on behalf of the management on instructions from his client, submits that the Court may release the amount of Rupees One Lakh deposited by the respondent pursuant to Court order dated 26.11.2007 in favour of the petitioner along with accrued interest, if any, and his client also does not want to press the writ petition being W.P.(C.) No. 6473/2008 filed against the petitioner workman.

In view of the above submissions made by the counsel for the parties, both these writ petitions are disposed of as not pressed in view of the compromise arrived at between the parties. The Registry is directed to release the amount of Rupees One Lakh deposited by the respondents pursuant to Court order dated 26.11.2007 in favour of the petitioner along with accrued interest, if any, forthwith. The parties are left to bear their own costs.

A copy of this order be kept in the file of W.P.(C.) No. 6473/2008 which has also been disposed of by this common order.

AUGUST 27, 2009
'bsr'

S.N. Aggarwal
S.N. AGGARWAL, J

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