

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			C482 No2016 of 2023 With IA/2/2023 (Compromise Application) <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Mohd. Shafy, learned counsel for the applicants. Mr. V.K. Gemini, learned Deputy Advocate General for the State. Mr. Rishab Rangwar, learned counsel for the private respondents. In the proceeding, which were held on the previous date for the purpose of considering the compromise application which was filed by way of IA No.2/2023, the applicants, who were the Directors of the company of M/s Metalman Micro Turners, the counsel were directed to file an affidavit and implead the company itself as a party, in order to consider the compromise application, because the factum of employment of the widow of the deceased was with the company, not with the directors, who were then impleaded in person. As a consequence of the previous orders passed by this Court, IA No.4/2023 has been filed along with the supplementary affidavit by way of Misc. Application IA No.3/2023. The same would stand allowed. Learned counsel for the applicants is

		directed to carry out the necessary amendment in the cause title of the C482 Application, during the course of the day. It is contended by the applicants, who are the directors of the M/s Metalman Micro Turners, that for the purpose of cleaning the tank and effluent contained therein that of the plant, they had entered into a contract with M/s Abhishek Trading Corporation. While the said process was being undertaken, the three workers, who were working at the relevant time, they entered into the tank. One of them had met with the sad demise, on account of the suffocation, which he suffered due to the alleged non-permissible entry into the tank. Subsequent to the death of Suresh, the applicants, who are the directors of M/s Metalman Micro Turners have contended by way of an affidavit filed before this Court, that they have remitted an amount of Rs.10 lakh, as compensation to the widow of the deceased and, simultaneously, they have also given employment to the widow of the deceased - Sundarwati, who is present in person before this Court. Upon being interacted, she fortified the fact, that she has been appointed by the M/s Metalman Micro Turners, the directors of which are applicants to the C482 Application.
--	--	---

Owing to the statement, as it has been made by the parties to the C482 Application, in the compounding application and the affidavit filed in support thereto, they had duly impleaded M/s Metalman Micro Turners through its directors, i.e. the applicants herein fortified the fact about engagement of respondent no.5 and ensure its continuance until and unless there is an act of misconduct on the part of her in future and removal is inevitable, after due process or service conditions.

Owing to the fact, that respondent no.5 has submitted that she has been adequately compensated and that she has been given employment with the aforesaid firm M/s Metalman Micro Turners, the C482 Application would stand closed.

As a consequence thereto, the proceedings as drawn against the present applicants by way of Criminal Case no.1151 of 2023, "State Vs. Sanjay Kumar and Others", pending consideration before the Court of Chief Judicial Magistrate, Udham Singh Nagar, would hereby stands quashed.

(Sharad Kumar Sharma, J.)

02.11.2023