

Court No. - 4

Case :- WRIT - C No. - 46474 of 2013

Petitioner :- M/S Shri Ram Industrial Enterprises Ltd.

Respondent :- State Of U.P. Thru Secry. Labour Deptment
And 2 Others

Counsel for Petitioner :- Abhijit Banerjee,Diptiman
Singh,S.D. Singh

Counsel for Respondent :- C.S.C.,Vivek Sharma

Hon'ble Prakash Padia,J.

Ref:- Civil Misc. Application No.2 of 2023

1. The petitioner has preferred the present application, supported by an affidavit, with the prayer to pass appropriate order in the matter in view of the settlement/compromise dated 28.03.2023 entered between the petitioner and the respondent No.3/Mahesh Chand.

2. It is argued by learned counsel for the applicant that the petitioner has preferred the present petition with the prayer to quash the award dated 14.3.2013 passed in Adjudication Case No.245 of 1994 (M/s Shri Ram Industrial Enterprises Limited and its workman Shri Mahesh Chand) passed by the Industrial Tribunal (5), as well as the order dated 11.5.2012 passed by Industrial Tribunal (5), Meerut.

3. It stated in paragraph 4 of the affidavit that pursuant to the order passed by this Court, the petitioner has already deposited Rs.2,00,000/- before the Presiding Officer Industrial Tribunal (5) Meerut on 23.09.2013. It is stated paragraph 6 & 7 of the affidavit that after attaining the age of superannuation, i.e., 60 years, the respondent No.3 wrote a letter dated 19.01.2023 for compromise/settlement that in case, the respondent No.3 received Rs.2,00,000/- as well as interest incurred on the aforesaid amount, and Rs.10,000/- as litigant expenses, he shall

drop all the pending litigations against the petitioner.

4. It is argued by learned counsel for the applicant/petitioner that in the aforesaid circumstances, the petitioner and respondent No.3 entered into a compromise/settlement on 28.03.2023 and the petitioner has received Rs.2,00,000/- as well as interest incurred on the aforesaid amount, and Rs.10,000/- as litigant expenses and prays that the application be allowed and the present petition be also dismissed in view of the settlement dated 28.03.2023.

5. Sri Vivek Sharma, learned counsel for the contesting respondent admitted the aforesaid facts and does not have any objection, if the petition be dismissed in terms of the compromise.

6. In the facts and circumstances of the case, the present application is allowed in terms of the compromise.

Ref:- Petition

1. In view of the order passed on the Civil Misc. Application No.2 of 2023, no further order is required to be passed in the petition.

2. Accordingly, the writ petition is dismissed.

Order Date :- 16.10.2023

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