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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9668 OF 2014

M/s.Gurudatta Binders and Printers and others .. Petitioners

Vs.

Shri Pandurang Shivram Dalvi .. Respondent

Mr.Dushyant S.Pagare, Advocate for the Petitioners.

Mr.Pritamsing Girase a/w Mr.Arun Joshi, Advocate for Respondent.

CORAM : R.G.KETKAR, J.

DATE : 21st JANUARY, 2015

P.C. :

. Heard Mr.Dushyant S.Pagare, learned Counsel for the petitioners and Mr. Arun Joshi, learned Counsel for the respondent.

2. On the motion made by Mr.Pagare, respondents No.2 & 3 are deleted as Award was made by the Industrial Court against the present petitioners only. Leave to amend is granted. Amendment shall be carried out forthwith. Rule. Mr.Girase waives service for the respondent. At the request and by consent of the parties, rule is made returnable forthwith and the petition is taken up for final disposal.

3. The learned Counsel appearing for the parties have tendered the consent terms dated 21/01/2015. Under the consent terms, the petitioners have agreed and undertaken to pay

Rs.1,65,000/- in terms of clause (5) of the consent terms as and by way of full and final settlement of all claims of the first respondent. Mr.Pagare states that Mr.Namdev Pednekar – Proprietor of the first petitioner is present in the Court. Mr.Joshi states that he will be filing appearance on behalf of the first respondent within one week from today. Mr.Joshi further states that first respondent is present in the Court. The parties admit and confirm the correctness of the consent terms and submit that the petition may be disposed of in terms of the consent terms. The consent terms dated 21/01/2015 are taken on record and marked 'X' for identification. The photocopies of identify cards of petitioner No.2 and respondent No.1 are taken on record and marked 'Y' collectively.

4. After perusing the consent terms, I am satisfied that controversy between the parties is amicably and lawfully settled in terms of the consent terms. Undertaking given by the petitioners in clauses 5 & 6 of the consent terms are accepted.

5. The impugned orders passed in Complaint (ULP) No. 75 of 2011 dated 28/02/2013 & in Revision Application (ULP) No. 138 of 2013 dated 11/09/2014 are set aside and stand substituted by the consent terms.

6. Rule is made absolute in terms of the consent terms with no order as to costs.

(R.G.KETKAR, J.)