

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
WRIT PETITION (L) NO. 3280 OF 2014

Bombay Intelligence Security
(India) Ltd. & Ors.

Petitioners

Vs

Chandrakant G. Kotkar

.. Respondent

Mr. S.C.Naidu a/w T.R.Yadav i/b M/s C.R.Naidu & Co, Advocate
for the petitioners.

Mr. S.N.Deshpande, Ms S.P.Munshi and Ms. N. S. Deshpande,
Advocate for the respondent.

CORAM : R.G.KETKAR,J.
RESERVED ON : 09/02/2015
PRONCED ON : 13/02/2015

PC:

Not on board. At the request of learned counsel appearing
for the parties, taken on board.

1. Heard Mr. S.C.Naidu, learned counsel for the petitioners
and Mr. S. N. Deshpande, learned counsel for the respondent.
2. Rule. Mr. Deshpande waives service on behalf of the
respondent. At the request and by consent of the parties, Rule is
made returnable forthwith and the Petition is taken up for final
hearing.
3. By this petitioner under Article 227 of the Constitution of
India, the petitioners have challenged the Judgment and order
dated 1.10.2014 passed by the learned President, Industrial
Court, Maharashtra, Mumbai in Recovery Application (ULP) No. 2

of 2009. By that order, the Industrial Court allowed the application and declared that the respondent herein is entitled to an amount of Rs.14,22,267/-. The Industrial court directed the Collector, Mumbai Suburban District, to recover the said amount from the petitioners and pay the same to the respondent. The Registrar was directed to issue recovery certificate as per Rule 142 in Form No.25 of the Industrial Court Regulations, 1975.

4. Learned counsel appearing for the parties have tendered Consent Terms dated 13.2.2015 duly signed by the parties and their Advocates. Mr. Naidu states that on behalf of the petitioners, Mr Ravindra Prasad, Dy. General Manager, Legal Personnel, has signed the Consent Terms. Mr. Deshpande states that the respondent has signed the Consent Terms. Mr. Naidu states that on behalf of the petitioners Mr. Ravindra Prasad is present in the Court. Mr. Deshpande states that respondent is present in the Court. The parties admit and confirm the correctness of the Consent Terms. After perusing the Consent Terms, I am satisfied that the dispute between the parties is lawfully and amicably settled in terms of the Consent Terms. The Consent Terms are taken on record and marked "X" for identification.

5. Learned counsel for the parties have tendered photocopy of Identity Cards of Mr. Ravindra Prasad and the respondent. The same are taken on record and marked "Y" Collectively for

identification.

6. Mr. Naidu states that Pay Orders in the sum of Rs.2,50,000/- and Rs. 2,83,880/- are handed over to the respondent. Mr. Deshpande acknowledges receipt of the Pay Orders. The receipt to that effect is taken on record and marked "Z" for identification.

7. The Consent Terms provide that the impugned order stands modified in terms of Clauses 1(a) to (d) and clauses 5 to 7 of the Consent Terms. In view thereof, the impugned order dated 1.10.2014 is substituted in terms of the Consent Terms.

8. Rule is made absolute in the aforesaid terms with no order as to costs. Writ to go down forthwith.

(R.G.KETKAR, J.)