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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: November 20, 2015

+ W.P.(C) 31/2001

MANAGEMENT OF APOLLO HOSPITAL Petitioner

Through: Mr. Alok Bhasin, Advocate

versus

APOLLO HOSPITAL EMPLOYEES UNION & ORS.

..... Respondents

Through: Nemo.

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

JUDGMENT

(ORAL)

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Impugned Award of 31st October, 2000 holds the suspension of respondent-workmen illegal with direction to pay full salary etc. to them till further action in accordance with the law is taken against respondent-workmen. Impugned order notes that out of 95 workmen, only 57 workmen had come forward and three of them were not found entitled to the relief claimed.

Learned counsel for petitioner submits that a settlement has been arrived at with 49 respondent-workmen and only 8 workmen remain. It is informed that subsequent to the passing of the impugned order, consequent upon a departmental inquiry,

respondent-workmen have been dismissed from service and thereafter, a settlement has taken place with majority of the workmen, barring 8 such workmen. It is submitted by learned counsel for petitioner that these 8 left out workmen have not challenged their dismissal and so, there was no occasion to arrive at a settlement with them. Learned counsel for petitioner on instruction submits that petitioner is ready to settle with the remaining 8 workmen also, if they come forward.

Respondent-Union has been served but none appears on their behalf.

While taking note of the subsequent events, this Court finds that the challenge to the impugned order no longer survives in view of the settlement arrived at by petitioner with majority of respondent-workmen. With regard to remaining 8 workmen, if they come forward, then petitioner is ready to settle with them. In the event of no settlement taking place with remaining 8 respondent-workmen, petitioner would be at liberty to get this petition revived to contest the impugned order.

With aforesaid liberty, this petition is disposed of.

(SUNIL GAUR)
JUDGE

NOVEMBER 20, 2015

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