

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.915 OF 2016
IN
WRIT PETITION NO.2789 OF 2003**

Hindustan Coca-Cola Beverages Pvt. Ltd. ... Applicant/Petitioner
Versus
Shri Shivram Bhalekar And Others ... Respondents

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Mr. Vishal T. a/w Mr. T. Kapadia i/b M/s D.H. Law Associates for the Applicant/Petitioner.
Mr. M.D. Nagle for Respondent Nos. 1 to 33.
Mr. Sanjay Udeshi for Respondent No.34.

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CORAM : S.C.GUPTE, J.

DATE : 6 APRIL 2016.

P.C. :

. This Civil Application is for bringing legal heirs of the deceased Respondent Nos.3, 5 and 30 on record. The Applicant is permitted to amend the Schedule of the Civil Application by substituting the reference to the Petitioner Nos.3, 5 and 30 with Respondent Nos.3, 5 and 30. Civil Application is allowed in terms of prayer clause-(a). The amendments to be carried out within a period two weeks from today. Civil Application is disposed of accordingly.

2 Learned Counsel appearing for the Petitioner and Respondent Nos.1 to 33 tender Consent Terms signed between the Petitioner and Respondent Nos.3, 5, 6, 9, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 for settling the matter amicably between them. Learned Counsel appearing for the parties request the Court to dispose of the petition, by deleting the names of the Respondents referred to above from the cause title after recording the settlement between the

parties in terms of the Consent Terms. The Consent Terms are taken on record, marked 'X' for identification. Respondent Nos.3, 5, 6, 9, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 are accordingly deleted from the cause title. Petition now survives only against the rest of the Respondents.

3 In view of the clause-(6) of the Consent Terms, the Petitioner shall not be required to deposit any wages in terms of directions issued by this Court vide order dated 19 April 2004 in respect of the deleted Respondents referred to above.

4 Learned Counsel appearing for Respondent Nos. 1 to 33 also files Supplementary Consent Terms signed between the Petitioner and Respondent Nos.3 and 30. The Supplementary Consent Terms are taken on record, marked 'X-1' for identification. The wages deposited by the Petitioner in respect of Respondent No. 30 shall be withdrawn. Office will permit legal heirs of Respondent No.30 to withdraw the wages deposited by the Petitioner in respect of Respondent No.30. The Industrial Court, Bandra is directed to permit legal heir of Respondent No.3, Mrs. Jayanti N. Behare, and legal heir of Respondent No.30, Mrs. Anushri A. Khot, to withdraw wages deposited by the Petitioner in respect of deceased Respondent Nos.3 and 30, respectively.

5 These Consent Terms have been taken on record in the presence of the concerned Respondents and also the Manager of the Petitioner.

(S.C.GUPTA, J.)