

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE**

WRIT PETITION NO.301 OF 2007

Awadhinarayan S. Rajbhar	...	Petitioner
Versus		
M/s Sigma Paints And Another	...	Respondents

Mr. T.R. Yadav i/b Seema Chopda for the Petitioner.
Mr. S.C. Naidu i/b C.R. Naidu & Co. for Respondent No.1.

CORAM : S.C.GUPTE, J.

DATE : 15 JULY 2016.

P.C. :

. As recorded in my last order dated 17 March 2016, the disputes between the parties were sought to be mediated. Though mediation has failed, learned Counsel for the Respondents made an offer on the last occasion to deposit a sum of Rs.1,18,252/- before the Prothonotary & Senior Master, pending the disposal of the Petition. The Respondents have, accordingly, deposited the amount on 6 April 2016. Since, admittedly, Respondent No.1 establishment is closed, the dispute between the parties, which originally involved the Petitioner's case for reinstatement with consequential benefits, now pertains only to compensation. This Court has already recorded the lack of clarity in this behalf (i.e. as to working out of such compensation) on the part of the Petitioner. In fact, that was the reason why, in the first place, the matter was referred to the mediator by this Court. Taking an overall view of the matter, the compensation of Rs.1,18,252/-, which was worked out in the mediation proceedings and

which is recorded in the mediation report made to this Court, can be said to adequately compensate the Petitioner. Accordingly, this petition is disposed of by permitting the Petitioner to withdraw the sum deposited by the Respondents before this Court as noted above with accrued interest, if any. It is also clarified that any provident fund and family pension dues that the Petitioner is entitled to, may be claimed by him over and above the amount of compensation provided in this order. The Court appreciates the efforts on the part of the mediator for undertaking the exercise.

(S.C.GUPTE, J.)