

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.238 OF 2016

Ladaku Garment Mazdoor Sangh	...	Petitioner
Versus		
M/s Venice And Others	...	Respondents

Ms. Rita Joshi a/w Swapnil Kamble for the Petitioner.
Mr. P.N. Anaokar a/w Rahul Oak for Respondent No.1.

CORAM : S.C.GUPTE, J.

DATE : 6 APRIL 2016.

P.C. :

. This petition challenges a judgment and order of the Industrial Court, dismissing Complaint (ULP) No.239 of 2009, filed by the Complainant/Union. The original complaint was filed on behalf of eight workmen.

2 Being aggrieved by the dismissal order, the Complainant/Union has filed the present petition on behalf of all eight workmen. During pendency of this petition, the Respondents have settled their disputes with six workmen, leaving only claims of two workmen outstanding.

3 At the hearing of the petition, the learned Counsel appearing for the Respondents tenders a Memorandum of Settlement signed between these two workmen and the Respondents. Under these terms of settlement, the amounts stated therein are being paid in full and final settlement of the claims of these two workmen. The learned Counsel appearing for the Petitioner/Union states that the Union is not a party to this memorandum of settlement and cannot take responsibility for the same. Since the workmen do not want the Union to prosecute the present petition, the Petitioner-Union seeks to withdraw the petition simplicitor. The petition is accordingly dismissed as 'withdrawn' The memorandum of settlement signed between the parties is kept on record, marked 'X' for identification.

(S.C.GUPTE, J.)