

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.2059 OF 2005

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed seeking the following relief/s:

“....to call for the records pertaining to the award dated 25.10.2004 in I.D.No.82 of 2003 passed by the Hon'ble Labour Court – II, Hyderabad published u/s.17 of the I.D. Act, 1947 on 06.01.2005 vide G.O.Rt.No.2335 dated 10.12.2004 and quash the same by issuance of writ of Certiorari or any other appropriate writ, order or direction in so far as it directs the petitioner herein to reinstate the 2nd respondent into service...”

[Reproduced verbatim]

2. At the hearing, the Manager of M/s. M.R.F. Limited and the respondent No.2 had stated that they had settled the matter outside the Court and that the terms of settlement are reduced into writing and that the said memorandum of compromise with the said terms is filed today into Court along with a joint memo and that the management and the workman i.e., respondent No.2 had entered into a settlement as stated in the said compromise and as per the provision of Section 18(1) of the Industrial Disputes Act, 1947 and that in terms of the compromise, the 2nd respondent has resigned from service of the petitioner company and that in lieu of the compromise, he has received a cheque bearing No.031773 dated 27.01.2016 drawn on HDFC for an amount of Rs.9,85,000/- after deducting the tax at source from out of the total amount of Rs.11,00,000/- and that in view of the settlement as per the aforementioned provision of law, the writ petition may be disposed of in terms of the compromise.

3. Both the parties present are identified by their respective counsel. They had also produced the copies of documents in proof of their respective identities. Both the parties, when examined in open

Court, have stated that they have entered into the compromise voluntarily and with free will and without any force from any quarter and that this writ petition can be disposed of in terms of the compromise. On such examination of the parties, this Court is satisfied that the compromise was entered into by the parties with free will and consent and, therefore, the compromise can be recorded.

4. Accordingly, the Writ Petition is disposed of in terms of the settlement dated 27.1.2016 under Section 18(1) of the Industrial Disputes Act, 1947. The memorandum of compromise and the joint memo shall form part of the order. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE M.SEETHARAMA MURTI

Date: 28.01.2016

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Note:- Furnish C.C. in one week.

B/O
AMD

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