

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

NOTICE OF MOTION NO. 48 OF 2018

IN

WRIT PETITION NO. 1131 OF 2017

Birla Precision Technologies Ltd. & Anr.

...Petitioners/Applicants

Vs.

Mr.Tukaram Narayan Sawant

...Respondent

Mr.Priten P. Killedar for Applicants.

CORAM : S.C. GUPTE, J.

DATE : 13 AUGUST 2018

P.C. :

Learned Counsel for the Applicants (original Petitioners) submits that the petition was dismissed for want of prosecution and the present notice of motion has been taken out for recall of that order. Learned Counsel submits that in the meantime, dispute between the parties is settled out of court and a Memorandum of Understanding has been entered into between the parties on 21 April 2018. By this MOU, parties have agreed for resolution of their disputes on payment of an agreed sum in full and final settlement of the order impugned in the present petition. Since the dispute between the parties arising out of the impugned order passed by the Labour Court in Application (IDA) No.2325/2011 has been settled, accordingly, learned Counsel for the Petitioner does not press his petition.

2 The notice of motion is, accordingly, allowed and the order of

dismissal for want of prosecution is recalled and set aside. The writ petition is restored to file and disposed of as not pressed.

(S.C. GUPTE, J.)