

**THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND**

THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT APPEAL No.797 of 2011

JUDGMENT: *(Per VRS,J)*

The matter arises out of the dismissal from service of the appellant herein, which was set aside by the Labour Court.

2. During the pendency of the writ appeal, the parties have settled the matter. The terms of the Joint Memo of Compromise entered into between the parties read as follows:

“ i) The Respondent No.1 herein has agreed to pay an amount of Rs.11,47,266/- (Rupees Eleven Lakhs Forty Seven Thousand Two Hundred and Sixty Six only) towards full and final settlement and satisfaction of all the past, present and future claims of the Appellant herein against the Respondent No.1 herein.

ii) The above amount Rs.11,47,266/- represents (a) Rs.11,00,000/- towards settlement of all the claims of Appellant herein against Respondent No.1 herein including the claims under this Writ Appeal No.797/2011 and (b) Rs.47,266/- towards Statutory Gratuity amount payable to the Appellant by the Respondent No.1 herein.

iii) As agreed above, the Respondent No.1 herein has paid the above amount to the Appellant herein vide Cheque No.244553 dated 01.11.2017, drawn on Citibank, N.A.MUMBAI for Rs.10,03,066/- after deducting an amount of Rs.1,44,200/- towards TDS and the Appellant acknowledges receipt of the same.

iv) The Appellant and the Respondent No.1 confirms that on receipt of aforesaid payment, all the disputes/cases between the Appellant and the Respondent No.1 shall be treated as settled/compromised and they have no claim of whatsoever nature against each other.

v) The Appellant agrees that, he shall not file any case/complaint and shall not raise any dispute regarding the subject matter before any authority of law, such as the Commissioner of Labour, Labour Court, Industrial Tribunal etc.,

vi) Both the parties prays this Hon'ble Court to close the above W.A.797/2011 as settled and withdrawn, in terms of above Compromise."

3. In view of the above, the Writ Appeal is disposed of in terms of the Memo of Compromise. The Award passed by the Labour Court shall stand suitably modified as per the terms and conditions of the Joint Memo of Compromise.

4. Consequently, miscellaneous petitions, if any, pending in the appeal shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

M.GANGA RAO, J

7th November, 2017
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