

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.20445 OF 2016

Dated:07.04.2017

Between:

M/s. HBL Global Private Limited,
Kamala Mills Compound, Lower Parel,
Senapati Bapat Marg, Mumbai

.. Petitioner

And

The Industrial Tribunal-cum-Labour
Court, Siripuram, Visakhapatnam
and another

.. Respondents



The Court made the following:

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ORDER:

Aggrieved by his termination, dated 28.04.2008, the 2nd respondent/workman raised industrial dispute in I.D.No.32 of 2009 on the file of the Industrial Tribunal-cum-Labour Court, Visakhapatnam. The Tribunal passed award on 05.02.2016 partly allowing the claim of the 2nd respondent and directing the Management to reinstate him into service with continuity of service, however, restricted the back wages to 25% from the date of termination till the date of award. Challenging the same, the Management filed this Writ Petition.

2. This Court, by order dated 24.06.2016, granted interim stay of the award subject to the Management complying with Section 17-B of the Industrial Disputes Act.

3. During the pendency of the Writ Petition, the 2nd respondent and the Management have come to understanding to resolve the dispute and give quietus to the litigation. A joint memo, dated 06.04.2017, is filed reflecting the resolution of the dispute. It appears from the reading of the joint memo and the terms of the settlement that the Management has agreed to pay consolidated amount of ` 3,00,000/- as full and final settlement of claim and the 2nd respondent has agreed to receive the said amount and not to press his claim further. The 2nd respondent is present and the Demand Draft bearing No.109327, dated 14.03.2017, drawn in favour of the 2nd respondent for an amount of ` 3,00,000/- is

handed over to the 2nd respondent. The 2nd respondent accepted the same. The Court has interacted with the 2nd respondent. He appeared hale and healthy and fully aware of what he is stating. He states that in order to resolve the dispute, he has agreed to receive the amount and acknowledges the receipt of amount of ` 3,00,000/- through Demand Draft.

4. Learned counsel appearing for the 2nd respondent also states that the 2nd respondent is satisfied with the amount paid to him and is also satisfied with the resolution of the dispute.

5. Having regard to the same, the Writ Petition is disposed of taking on record the joint memo, dated 06.04.2017, and in terms of the settlement thereof. There shall be no order as to costs.

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

Date:07.04.2017

Note:- Issue C.C. four days.

(B/o)
KH

P. NAVEEN RAO, J