

CWP No.24932 of 2013

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.24932 of 2013

Date of Decision: 31.01.2017

Balbir Singh

...Petitioner

Vs.

The Presiding Officer, Industrial Tribunal-cum-Labour Court & Anr.

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ramesh Goyat, Advocate
for the petitioner.

Mr. Sudhir Mittal, Advocate
for the respondent No.2.

RAJIV NARAIN RAINA, J. (Oral)

The Presiding Officer, Labour Court, Panipat has declined the reference vide award dated 14.03.2013 against which the present petition has been filed by the workman. He prays that it deserves to be set aside. A finding has been recorded that the petitioner had resigned from service on his own volition whereas the workman disputed this fact. However, he could not establish on evidence that it was a case of resignation or abandonment of service. However, the coordinate bench took cognizance of the statement of Mr. Sudhir Mittal appearing for the Management accepting that the respondents are prepared to settle the matter by payment of compensation in terms of qualification of compensation in the decision of the Supreme Court in BSNL Vs. Man Singh, (2012) 1 SCC 558 awarding ₹ 2 Lakh to close the case. Mr. Mittal submits that workman had recently

visited the factory and by large agreed with the management that compensation of ₹ 2 Lakh would satisfy his claims against the management. Today Mr. Mittal has brought a cheque in a sum of ₹ 2 Lakh drawn in favour of the petitioning workman which has been handed over to Mr. Ramesh Goyat appearing on behalf of the petitioner for onward transmission to the workman, who is not present in Court. The amount appears to this court to be fair and just compromise especially in the face of the findings recorded by the Labour Court against the workman. Accordingly, by leave of the Court the matter is disposed as compromised by an out-of-court settlement arrived at between the parties.

The petition stands disposed of in terms of the compromise.

(RAJIV NARAIN RAINA)
JUDGE

31.01.2017
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Whether speaking/reasoned

Yes

Whether reportable

No