

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.2815 of 2013 (O&M)

Date of Decision:08.09.2017

M/s Talbros Automotive Company Limited

... Petitioner

Vs.

Presiding Officer and another

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Abhilaksh Grover, Advocate,
Mr. Shiv Kumar, Advocate and
Mr. Mohit Nagar, Advocate for the petitioner.

Mr. G.S. Bal, Sr. Advocate with
Mr. A.D.S. Bal, Advocate for respondent No.2.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has challenged the ex parte award passed by the Labour Court dated 3.1.2011 (Annexure P-7).

Respondent No.2-workman was appointed as Machinist on 06.02.1979. In the year 1999, he was subjected to domestic inquiry on certain allegations. It was concluded on 29.11.1999 while imposing the penalty of dismissal from service. Respondent No.2-workman feeling aggrieved by the order passed by the disciplinary authority issued a demand notice and reference was made. Thus, Labour Court passed award in favour of respondent No.2-workman. Hence, the present petition by the management.

In view of the dates and events and the fact that it is an ex parte award, both the parties have expressed their willingness for settlement to the extent that Management will pay a sum of Rs.10,000,00/- to respondent No.2-workman in full and final settlement. Shri Harish Kumar, Deputy Manager (HR) of the petitioner is present in Court to authenticate the above submission.

In view of the submission made by both the parties, writ petition stands disposed of directing the petitioner-Management to pay a sum of Rs.10,000,00/- (Ten Lacs only) to respondent No.2-workman within a period of four months from today. Failing which respondent No.2-workman is entitled for interest on the proposed amount of Rs.10,00,000/- from today. Respondent No.2-workman is entitled for Provident Fund and other benefits which were due to him as on the date of dismissal from service apart from the proposed amount of settlement. Respondent No.2-workman is also hereby directed to withdraw the application which has been filed under Section 33-C(2) of the Industrial Disputes, Act, 1947 within a period of one month from today subject to settlement and payment of Provident Fund and other dues, if any.

08.09.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**