

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**97 WRIT PETITION NO. 1971 OF 2002 WITH
CIVIL APPLICATION NO. 1976 OF 2004 IN WP/1971/2002
WITH
CIVIL APPLICATION NO. 7803 OF 2008 IN WP/1971/2002
WITH
WRIT PETITION NO. 5245 OF 2001**

**M/S. MEDLEY PHARMACEUTICALS LIMITED
VERSUS
MEDLEY WORKERS UNION**

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Advocate for the Petitioner : Shri V. D. Kulkarni
Advocate for the Respondent - sole : Shri A. S. Kulkarni h/f.
Shri T. K. Prabhakaran

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 06th MAY, 2019.

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PER COURT :

1. The learned Advocates for the Management and the Union jointly mention that all the disputes between the parties have been resolved. In Criminal Writ Petition No. 1448/2015, all the parties have submitted a joint compromise purshis dated 04/10/2017. It is stated in paragraph Nos. 4(b), 4(f) and 4(h) of the compromise terms, as under :

" b) In order to resolve the dispute which arose out of the orders dated 23/11/2000 passed by the Hon'ble Industrial

*Court, Aurangabad in Com(ULP) No. 110/1997 and Order dated 07/02/2001 passed by the Hon'ble Industrial Court, Aurangabad in Com(ULP) No. 65/1995, the petitioners agree to pay Rs. 40,00,000/- as a lumpsum amount which includes an amount of Rs. 7,62,000/- deposited before the Hon'ble Labour Court. The said amount of Rs. 40,00,000/- (Rupees Forty Lakh Only) shall be in compliance of order dated 23/11/2000 passed in Com(ULP) No. 110/1997 and 07/02/2001 passed in Com(ULP) No.65/1995. The said amount of Fourty Lacks so deposited shall be distributed equally amongst the twenty five workmen and shall only be withdrawn from the Hon'ble Labour Court by the workmen individually by providing their proper identification. The chart showing individual withdrawal of each workmen is annexed at **Annexure-B**.*

f) The petitioners agree that they shall withdraw Writ Petition No. 1971/2002 filed against the respondents.

h) Both the parties agree that all claims, disputes, litigations, and petitions against each other shall stand settled permanently and the Petitioner shall withdraw all the pending litigations in whichever form against the Union/Workmen in pursuance of this settlement and the respondents agree that all the rights and demands against the petitioners and Vivomed Laboratries shall stand waived/relinquished irrevocably."

2. A certified copy of the order of this Court dated 04/10/2017 passed in Criminal Writ Petition No.1448/2015 in terms of the joint compromise purshis dated 04/10/2017, is placed on record. Same is collectively marked as 'X' for identification.

3. In both these petitions, issues arising out of complaint (ULP) No. 65/1995 and complaint (ULP) No.110/1997 are involved. Same are covered by the above reproduced clauses of the joint compromise purshis.

4. In view of the above, both these petitions are disposed off in terms of the document "X". The impugned judgments shall stand merged in the terms of the compromise placed on record. Rule is discharged.

5. The pending Civil Applications if any, would not survive and stand disposed off.

(RAVINDRA V. GHUGE, J.)

shp/-