

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1386 OF 2019

Sudhir Chandulal Jain & Ors.

.. Petitioners

Vs.

The Assistant Commissioner of
Labour, Bhiwandi & Ors.

.. Respondents

Mr. Avinash Jalisatgi i/b. Mr. Vaibhav Jagdale for the Petitioner.

Mr. K. S. Thorat, AGP for Respondent nos. 1 to 3 – State.

CORAM : A.K. MENON, J.

DATED : 7th FEBRUARY, 2019.

P.C. :

1. Learned counsel for the petitioner and respondent no. 4 state that they have arrived at a settlement of all disputes between them. They have tendered consent terms. The respondent no. 4 has agreed to accept a sum of Rs.4,50,000/- in full and final settlement as set out in the consent terms.

2. Petitioner and respondent no. 4 are present in Court. Both parties have signed consent terms which is seen to have been explained and interpreted to respondent no.4 by his Advocate. In view of the above, I pass the following order :

- (i) There will be order in terms of the consent terms.
- (ii) Upon payment of the entire amount of Rs.4,50,000/- as contemplated in paragraph 8 the impugned orders of attachment and recovery certificate(s) issued by respondent no. 1 forming subject matter of the petition issued at the instance of respondent no. 4 in respect of his claim in reference Application IDA/172/2012 shall stand vacated and cancelled respectively.
- (iii) It is made clear that clause (ii) above will come into effect only upon realisation of the sum of Rs.4,50,000/- to be paid by the petitioner to respondent no. 4.
- (iv) On behalf of the State learned AGP has no objection to the settlement and undertakes to communicate this order to the Tahsildar – Respondent no.2.
- (v) In view of the aforesaid subject to compliance of the aforesaid, the Labour Court, Thane shall give effect to clause 9 of the consent terms.
- (vi) Parties to act on an authenticated copy of this order.

(A.K. MENON,J.)