

M.R.Tandle

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12501 OF 2017

M/s Prime Synthomers	... Petitioner
Vs.	
Shri Vilash Natubhai Patel and ors.	... Respondents

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Mr. P. M. Palshikar, Advocate for Petitioner.
Ms. Tanaya Patankar i/b Ms. Nutan R. Patankar, Advocate for
Respondent Nos. 1 & 2.

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CORAM : M. S. KARNIK, J.
DATE : 27TH MARCH, 2019

P. C. :

1. The parties today have filed the consent terms dated 27th March 2019 duly signed by the learned counsel appearing for the respective parties. Consent terms are also signed by Shri Shirish D. Mehta who is duly authorised on behalf of the petitioner and also the respondent no.2. Though the respondent no.1 has not signed the consent terms, the learned counsel for the respondents submit that she is instructed to sign the consent terms on behalf of the respondents.

2. The consent terms are taken on record and marked as Exhibit 'X-1' for identification.

3. In para 2 it is stated that the petitioner company has offered to pay Rs. 4,11,983/- to the respondent no.1 and Rs. 2,71,414/- to the respondent no.2 from the amount deposited by the petitioner in this Court. Further it is stated that the respondent no.1 and respondent no. 2 have given counter offers of Rs. 4,41,036/- and Rs. 3,62,586/- respectively, as ex-gratia in full and final settlement of all their claims, disputes, demands, grievances, etc.

4. Learned counsel for the petitioner fairly submitted that though there is a counter offer provided in the consent terms, the petitioner is willing to abide by the suggestion made by this Court as regards the payment to be made to the employee as a full and final settlement. From the consent terms filed, difference in the offer between the company and the one given by the respondents is very marginal. Therefore I have suggested the counter offer given by the respondent nos. 1 and 2 may be accepted. Learned counsel for the petitioner graciously accepted the suggestion given by this Court.

5. In this view of the matter, the respondent no.1 would be entitled to a sum of Rs. 4,41,036/- and respondent no.2 sum of Rs. 3,62,586/- as ex-gratia in full and final settlement of all their claims, disputes, demands, grievances etc.

6. The petition is therefore disposed of in the above terms as well as on the terms which have mentioned in the consent terms.

(M. S. KARNIK, J.)