

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

CWP No.12412 of 2018

Date of decision: 09.09.2019

M/s Krishna Steel Enterprises.

....Petitioner

Versus

Amrik Singh and others.

....Respondents

Coram: Hon'ble Mr. Justice B.S. Walia

Present: Ms. Monika Sharma, Advocate for the petitioner.

Mr. Monty Goyal, Advocate for respondent No.1.

Ms. Karuna Kumari Dogra, Advocate for respondent No.2-UOI.

B.S. Walia, J. (Oral).

1. Learned counsel for the parties state that a settlement/agreement has been arrived at amongst the parties in Mediation Case No.1245 of 2019 on 12.7.2019 as per which the petitioner has agreed to make a payment of ₹ 3,35,000/- to the respondent-workman in full and final settlement of his claim in terms of ex parte award dated 04.01.2017 (Annexure P-3) and that in pursuance thereto a cheque for ₹ 3,35,000/- drawn on Union Bank of India bearing No.358694 dated 16.8.2019, in the name of respondent-workman was handed over to the respondent-workman before the Mediation and Conciliation Centre of this Court. Copy of the settlement/agreement dated 12.7.2019 is taken on record.

2. Learned counsel for the respondent-Bank however, states that in view of the orders of the Assistant Collector 1st Class and Labour-cum-Conciliation Officer, Circle No.2, Ludhiana, account of the petitioner was seized, therefore, the payment against the said cheque cannot be made.

3. In view of the settlement, the writ petition is disposed of by granting liberty to the petitioner to move an application before the Assistant Collector 1st Class and Labour-cum-Conciliation Officer, Circle No.2, Ludhiana, within one week of receipt of certified copy of this order for withdrawal of order of attachment of its account with the respondent Bank so as to enable respondent No.2-Bank to release the payment of ₹ 3,35,000/- to the respondent-workman in terms of the settlement/agreement arrived at between the parties in Mediation Case No.1245 of 2019. Respondent-Bank would release payment to the respondent workman on receipt of appropriate orders from the Assistant Collector, 1st Class, and Labour-cum-Conciliation Officer, Circle No.2, Ludhiana on the application to be filed by the petitioner.

4. The Assistant Collector, 1st Class, and Labour-cum-Conciliation Officer, Circle No.2, Ludhiana on receipt of application from the petitioner shall pass appropriate orders within two weeks thereafter to enable payment of money to the respondent workman from the bank account of the petitioner in view of settlement/agreement arrived at amongst the parties in Mediation Case No.1245 of 2019 on 12.07.2019 keeping in view the validity period of cheque dated 16.08.2019.

5. Writ petition disposed of in the aforementioned terms.

September 09, 2019

(B.S. WALIA)

ps

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No