

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.38 OF 2020

IN

WRIT PETITION NO.7701 OF 2010

Chandulal Chindha Jadhav ... Applicant

In the matter between :

Mr. Khalil Hafiji Mohamad Shaban

And Another ... Petitioners

Versus

Chandulal Chindha Jadhav ... Respondent

• • • • •

Mr. Ashish Giri a/w Pratibha Sinnare a/w Mr. Vivek Pawar for the Applicant (Original Respondent in Writ Petition No.7701 of 2010).

Mr. N.R. Bubna for the Respondents (Original Petitioners in Writ
Petition No.7701 of 2010).

Chandulal Chindha Jadhav, Applicant/Original Respondent, present.

• • • • •

CORAM : S.C. GUPTE, J.

DATE : 13 MARCH 2020

P.C. :

. This Civil Application prays for extension of time to withdraw the amount deposited by the Respondent-employer in this court in pursuance of order passed earlier in the writ petition. The writ petition has been filed by employer-establishment challenging an award of reinstatement with back wages. The petition has been

admitted and against deposit of back wages, the impugned award has been stayed. The Petitioner-employer has deposited the amount of back wages in court. The Respondent to the writ petition, who is the Applicant to the present civil application, was given to time to withdraw the amount partly with security and partly without security. The Applicant, however, has been unable to furnish any security or withdraw any amount. In these circumstances, at the hearing of the civil application, the parties have reached a settlement. Under this settlement, the Applicant herein (original Respondent in the writ petition) has agreed to take the amount of back wages deposited by the Respondent (original Petitioner) in this court together with accrued interest in full and final settlement of his claim for reinstatement and back wages. The Respondent is present in person in court and affirms the settlement. Accordingly, the civil application as well as the writ petition are disposed of, by setting aside the award of reinstatement and permitting the Respondent to withdraw the entire sum of back wages deposited by the Petitioner in this court together with accrued interest thereon, in full and final settlement of his claim of reinstatement and back wages. Registry to permit the Respondent to do so.

(S.C. GUPTE, J.)

Rajesh V.
Chittewan

Digitally signed
by Rajesh V.
Chittewan
Date: 2020.03.17
14:49:54 +0530