

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.2681 of 2008 (O&M)

Date of Decision: 06.02.2020

M/s Dera Baba Nank Bus Service (Regd.)

... Petitioner

VS.

PO, Labour Court, Gurdaspur & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Vipin Mahajan, Advocate for the petitioner

None for the respondents

GIRISH AGNIHOTRI, J. (Oral)

(1) The petitioner has *inter alia* prayed to quash the award dated 27.11.2007 passed by the Labour Court vide which it was ordered to reinstate the workman with continuity of service and backwages to the tune of ₹ 20000/- lumpsum.

(2) Notice of motion was issued on 25.02.2008. Learned counsel has then referred to the order of this Court dated 23.04.2018 which reads as under:-

“Pursuant to the order dated 30.10.2012 Management have shown their keen interest to take back the respondent-workman on duty. It is evident from Annexures P-9, P-10 and P-11 vide Civil Miscellaneous No.177 of 2017 for which respondent-workman has not filed his objection. Thus, dates and events reveals that respondent-workman is not interested to work with the petitioner-management. Petitioner-Mr. Sanjay Sahni is present in the court. He is prepared for settlement.

Learned counsel for the respondent-workman is hereby directed to get instructions for settlement of dispute for Rs.2 Lacs on the next date of hearing.

List this matter on 01.05.2018.

23.04.2018

**(P.B.BAJANTHRI)
JUDGE”**

(3) The record shows that vide order dated 14.05.2019, the present case was referred to the Mediation and Conciliation Centre of this court to explore the possibility of amicable settlement.

(4) Counsel further submits that thereafter the Mediation and Conciliation Centre of this Court on 10.06.2019 recorded the settlement/agreement between the parties which was duly signed by both the parties. In para 3 of the settlement, it has been mentioned that the first party shall pay to the second party a lumpsum of one time compensation amount of Rs.2,05,000/-. It further records that in lieu the second party has undertaken to withdraw any other cases/execution filed before any court in relation to the dispute raised by the second party.

(5) Learned counsel thus has urged that the present writ petition can be disposed of in view of settlement/agreement dated 10.06.2019 arrived at between the parties.

(6) In view of the above, the present writ petition is disposed of with the following directions:-

(i) the parties to the writ are directed to abide by the settlement/agreement dated 10.06.2019;

(ii) the second party, as already undertaken, shall abide by his part of the agreement and withdraw any other case/execution against the first party;

(iii) in view of the settlement, it is made clear that the impugned award shall not be given effect to.

(7) Accordingly no further order is called for and the writ petition stands disposed of in above terms.

06.02.2020
Vvishal

(Girish Agnihotri)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No