

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

228

CWP No.15957 of 2017(O&M)
DECIDED ON : 19.02.2020

G4S Secure Solutions (India) Pvt. Ltd.

...Petitioner

versus

Satender and another

...Respondents

CORAM : HON'BLE MR. JUSTICE GIRISH AGNIHOTRI

Present : Mr. R.K. Sharma, Advocate
for the petitioner.

Mr. R.S. Malik, Advocate
for respondent No.1.

GIRISH AGNIHOTRI, J. (ORAL)

The present petition has been filed by petitioner-G4S Secure Solutions India Pvt. Ltd., *inter alia*, praying for setting aside the proceedings initiated under Section 33(C) (2) of Industrial Disputes Act, 1947 on the basis of the award dated 19.10.2015 (Annexure P-1) passed by the Labour Court.

Records of the case show that notice of motion, in this case was issued on 24.07.2017. On 06.12.2018, this Court had passed the following order which reads as under:-

“Inter alia submits that the workman is not coming forth and has filed execution. In terms of the compromise arrived at, after the award had been passed, a sum of Rs.1,25,000/- was to be paid and he was to be given fresh appointment as per the terms of the settlement (Annexure P-3). Instead of honoring the settlement, execution has been preferred, claiming a sum of Rs.1,61,764/- and the matter has now been sent to the Civil Court, for attachment of the moveable properties of the petitioner (Annexure P-7). In such

circumstances, application had been filed for stay of the operation of the award.

Accordingly, the present application is allowed and the petitioner-Management is directed to deposit a sum of Rs.1,25,000/- with the Executing Court on the next date of hearing. The said Court shall keep the amount in a fixed deposit receipt, till further orders. On doing so, the Executing Court shall not proceed further with the matter.

Service upon the respondent-workman shall also be effected on the counsel appearing for him.

CM stands disposed of.”

On 05.12.2019, this Court had directed the counsel representing the parties to seek instructions.

Today on resumed hearing of the case, both the counsel agree that the parties have entered into a settlement.

Writ petition is therefore, disposed of with the following directions:-

- i) Both the parties shall honor the settlement so arrived at.
- ii) The amount deposited i.e. Rs.1,25,000/- with the Executing Court , is allowed to be disbursed to the workman.
- iii) As noticed in the order dated 06.12.2018, the petitioner-Management was to offer fresh appointment as per terms of settlement. Let the workman approach the petitioner-Management and it is accepted that the Management shall honor the settlement.
- iv) In case anything remains to be still disputed, any of the party is at liberty to approach the appropriate forum.

February 19, 2020
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(GIRISH AGNIHOTRI)
JUDGE

Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO