

\$~3 & 4

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1382/2017**

M/S TRIG DETECTIVE PRIVATE LTD. Petitioner
Through: None.
versus

BALRAJ SINGH Respondent
Through: Mr. Avatar Singh, Advocate.

AND

+ **W.P.(C) 1384/2017**

M/S TRIG DETECTIVE PRIVATE LTD. Petitioner
Through: None.
versus

RAM ASHREY Respondent
Through: Mr. Avatar Singh, Advocate.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **13.08.2020**

CM APPL. 14788/2020 in W.P.(C) 1382/2017

CM APPL. 14787/2020 in W.P.(C) 1384/2017

1. This hearing has been done by video conferencing.
2. Vide order dated 27th January, 2020, a settlement amount was offered by the Petitioner to the Respondent-workmen. The dispute was settled by directing payment of the settled amount of Rs.2,50,000/- along with Rs.10,000/- as costs per Workman. The said order reads as under:

“The petitioner has offered a settlement amount of Rs. 2,50,000/- to each of the respondents. The offer is accepted by the respondents in settlement of

their claims against the petitioner.

Since the case has been pending in this Court from the year 2017, therefore, a litigation cost of Rs.10,000/- shall be paid to each of the respondents. In the circumstances, let an amount of Rs. 2,60,000/- be paid to each of the respondents by way of a Demand Draft on or before 03.02.2020.

The petitions, alongwith pending applications, are disposed-off in terms of the above.

A copy of this order be given dasti to the learned counsel for the parties under the signature of the Court Master.”

3. This order was, however, not complied with. The workmen have therefore moved the present applications before this Court. On the last date of hearing i.e., 13th July, 2020, Mr. Mohit Sharma, ld. counsel appearing on behalf of the Petitioner submitted that since he had recently been engaged, he would seek instructions from his client.

4. At the time of admission of the present writ petition, vide order dated 17th February, 2017 this Court had directed the deposit of 50% of the amount payable in terms of the impugned order. Cash branch has put up a note. Insofar as this amount is concerned, in both the petitions, a sum of Rs.90,667/- and Rs.92,667/- was respectively deposited and the same was kept in an FDR. The total amount of interest accrued on these FDR's till July, 2020 is Rs.1,08,124/- and Rs.1,10,509/- respectively.

5. None appears for the Petitioner today. Ld. Counsel for the workmen submits that the remaining 50% has not been paid. Since the dispute has finally settled before this Court, the parties are bound by the said settlement. Non-payment of the same would be contrary to the orders of this Court. Accordingly, it is directed as under:

- i. That the amount lying in the two FDRs in the Registrar General's account shall be released to the workmen along with the interest which has accrued thereon (after deduction of TDS and/or pre-mature penalty) within a period of 2 weeks.
 - ii. Insofar as the remaining 50% amount is concerned, this Court is of the opinion that personal presence of the Petitioner would be required. Accordingly, Major General Kuldip Singh S/o Late Shri Rattan Singh, R/o A-383, Road No.3, Mahipalpur Extension, New Delhi -110037 is directed to appear before this Court on the next date through video-conferencing. Let court notice be issued by the Registry by way of SMS on the mobile number of the counsel for the Petitioner- Mr. Mohit Sharma, (M: 9717268268).
6. List on 15th October, 2020.

PRATHIBA M. SINGH, J.

AUGUST 13, 2020/dk/T