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

+ W.P.(C) 3422/2011

BSES RAJDHANI POWER LTD. Petitioner

Through: Mr. Sandeep Prabhakar along with
Mr. Vikas Mehta and Mr. Ishan Lamba, Advs.

versus

UOI AND ORS

..... Respondents

Through: Mr. Shiv Sagar Tiwari and Dr. B.K.
Pandey, Adv. for R2 along with R2 (a) to R (e).

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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08.01.2020

1. The present writ petition filed by the management assails the Award dated 01.02.2011 passed by the learned Labour Court-VII, Karkardooma Courts, Delhi in ID No.17/2004. Under the impugned Award, the petitioner was directed to reinstate the workman with continuity of service along with full back wages and all other consequential benefits.

2. During the pendency of the present petition, the respondent has since expired and his five legal heirs have been brought on record. At their request, the parties were referred to Delhi High Court Mediation and Conciliation Centre where they have arrived at a settlement and the terms thereof have been recorded in the settlement agreement dated 13.12.2019, which has been placed on record.

3. As per the terms of the settlement, the petitioner has agreed to

pay a sum of Rs.8,50,000/- towards full and final settlement of the respondent's claims under the impugned Award. It has been further agreed between the parties that the amount will be apportioned between the legal heirs of the respondent as per the terms recorded in para 1 (ii to v) of the settlement agreement. Accordingly, a cheque for a sum of Rs.1,70,000/- in favour of respondent No.2 (a) and for a sum of Rs.6,80,000/- in favour of respondent no.2 (c) have been handed over to the learned counsel for the respondents in Court. The parties, therefore, pray that the writ petition be allowed by modifying the impugned Award in terms of the aforesaid settlement.

4. Accordingly, with the consent of the parties the impugned Award is modified in terms of the aforesaid settlement agreement. The parties will remain bound by the terms of the settlement. It is made clear that on receipt of the aforesaid agreed amount, the respondents will not be entitled to raise any claim against the petitioner.

5. The petition stands disposed of in the aforesaid terms.

REKHA PALLI, J.

JANUARY 08, 2020

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