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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6637 OF 2019

ARUN SUKHDEV PANSARE ..PETITIONER
VS.
LITEL INFRARED SYSTEMS PVT. LTD. ..RESPONDENT

Mr. Pandit Kasar for the petitioner.
Mr. D. J. Bhanage for the respondent.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 20, 2022.

P.C. :

1. The petitioner was proceeded with a departmental enquiry by the Management for misconduct. The Management terminated the services of the petitioner, according to the petitioner illegally. A reference was sent to the Tribunal by the appropriate Government for adjudication. The reference was answered in the negative.
2. During the course of the arguments, it was agreed by the parties that the issue could be amicably resolved in view of the fact that the dispute relates back to the year 2012 and at this distance of time, even if the petitioner succeeds in getting reinstatement, the reinstatement may have its own consequences which may not be in the best interest of the petitioner.
3. Learned counsel for the respondent – Management

fairly submitted that the respondent is willing to withdraw all the allegations made and that the inquiry conducted would be treated as *non-est* if the petitioner is to accept the cessation from the employment without any allegations or counter allegations.

4. Learned counsel for the petitioner on instructions submitted that if there is no stigma attached to this cessation of employment, he would be satisfied. The parties have no allegations or cross allegations against each other and there would be no claims in future against each other. It is accepted that the employer-employee relationship has come to an end mutually.

5. Learned counsel for the respondent submits that the respondent – Management will pay an *ex-gratia* amount of Rs.1 lakh to the petitioner. Learned counsel for the petitioner on instructions expressed satisfaction and agrees to receive the amount as full and final settlement of his claim, if any. The amount of Rs. 1 lakh be paid to the petitioner by the respondent within a period of two (2) weeks from today.

6. In view of what is observed above, the impugned order is set aside and the reference made earlier no longer survives as it has worked itself out in view of the above order.

7. Needless to mention that this order is passed in view of the concession given by the parties and not an opinion on

any question of law.

8. The writ petition is disposed of with no costs.

(M.S.KARNIK, J.)