

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

WRIT PETITION NO.9347 OF 2022

Savitri Ramesh Choudhari

...Petitioner

Versus

M/s. Vish Wind Infrastructure LLP
and Ors.

...Respondents

...

Mr. Yogendra M. Kanchan for the Petitioner.

Mr. Manoj Gujar with Mr. T.R. Yadav i/b. Mr. C.R. Naidu for the
Respondents.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 23rd DECEMBER, 2022.

P. C. :-

1. Learned counsel for the Petitioner and the Respondent have stated that parties have resolved the dispute amicably. They have placed on record consent terms, which read thus:-

(1) The Petitioner and Respondents have agreed to settle all the disputes by and between themselves as per the terms set out in this Consent Terms.

(2) That Interim Order dated 6th May 2022 passed in Complaint (ULP) No.35 of 2022 is hereby confirmed and the Petitioner shall not challenge the transfer order issued to her in any manner further.

- (3) The Petitioner does not desire to report for work at transferred place and hence agrees to submit a Resignation letter to Respondent No.1 and the same is hereby accepted and Petitioner is relieved from her duties and responsibilities with effect from 19th December, 2022.
- (4) The Respondent No.1 Company shall pay to the Petitioner a lumpsum one time amount of Rs.5,00,000/- (Rupees Five Lakhs Only) as full and final payment towards all her claims, demands and disputes against the Respondents by Cheque No.045286, dated 19th December, 2022 drawn on Cosmos Bank. The Petitioner agrees to sign receipt thereof.
- (5) The Petitioner specifically records that the aforesaid amount of Rs.5,00,000/- (Rupees Five Lakhs only) is in full, final and complete settlement of all her legal dues, due and payable from Respondent No.1 to her, including encashment of balance leave, salary payment, arrears of salary, gratuity payment, bonus payment upto the period of her service, i.e. October, 2021 and ex-gratia payment to forgo/waive all her claims and demands.
- (6) The Respondents No.1 upon acceptance of resignation letter, agrees to co-operate and fill up all requisite Forms under PF Scheme and issue Experience Certificate and relieving letter to

Petitioner. The Petitioner shall complete the exit formalities in all respect and hand over charge to Ms. Mitali Mistry.

- (7) The Respondents No.1 had already deposited monthly PF Contributions of the Petitioner in her PF Account when salary was paid to her and shall co-operate with the Petitioner for withdrawal of accumulated Provident Fund amount and/or Transfer of said amount to other nominated PF Account as disclosed by the Petitioner.
- (8) The Petitioner and the Respondents in view of the Consent Terms hereby clearly agree that all pending issues/disputes have been settled by and between themselves amicably to their entire satisfaction.
- (9) That none of the parties to the present Petition shall in any manner whatsoever file any proceedings against each other and/or against any of the parties in respect of any dispute, adverse claim, grievances, complaint before Court of law anywhere in India.
- (10) The parties agree that this Consent Terms shall be filed in the pending Writ Petition and parties agree that the present Writ Petitioner be disposed off accordingly.
- (11) The Petitioner assures and undertakes to withdraw the Complaint (ULP) No.35 of 2022 filed by her

before the Hon'ble Industrial Court, Bandra within 7 working days of Court (excluding Court vacations) from the date of execution of these Consent Terms.

2. The consent terms are signed by Respondent No.4 on her own behalf and on behalf of Respondent Nos.1 to 3. The authority letter given to her by Respondent Nos.1 to 3 to sign the consent terms is placed on record. Same is marked as 'X' for identification. The consent terms are also signed by the Petitioner. The Petitioner and Respondent No.4 are identified by their respective counsel. The Petitioner and Respondent No.4, who are present before the Court have identified their signatures on the consent terms and have confirmed the contents of the consent terms. The consent terms are taken on record and marked 'X-1' for identification.

3. The Petition stands disposed of in terms of the consent terms.

(SMT. ANUJA PRABHUDESSAI, J.)