

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

**LETTERS PATENT APPEAL NO.210 OF 2010
IN
WRIT PETITION NO.5790 OF 1997**

M/s. Igloo Dairy Services Pvt. Ltd.

(Formerly known as M/s. Cold Storage)

.. Appellant/Petitioner

v/s.

Gajraj Babunandan Verma

.. Respondent

...

Mr. K.S. Bapat a/w T.R. Yadav i/b. Desai & Desai Associates for the
appellant.

Mr. Yogendra Pendse for respondent.

...

**CORAM : K. R. SHRIRAM &
KAMAL KHATA, JJ.**

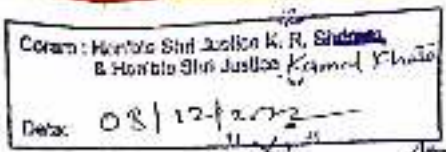
DATED : 8TH DECEMBER, 2022.

P.C. :

1. Parties have entered into Consent Terms dated 8th December, 2022. The Consent Terms signed by the authorized signatory of appellant, respondent and their respective Advocates is taken on record and marked "X" for identification.

2. Mr. Santosh Kumar Singh, and respondent Gajraj Babunandan Verma are present in Court and are identified by their respective Advocates.

3. For ease of reference, consent terms is scanned and reproduced below:

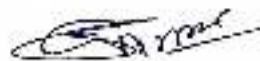
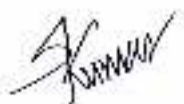

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
LETTERS PATENT APPEAL NO. 210 OF 2010
IN
WRIT PETITION NO. 5790 OF 1997
M/s Igloo Dairy Services Pvt. Ltd.,
(formerly known as M/s Igloo Cold Storage)....Appellants
(Original Respondent No.1)
v/s
Gajraj Babunandan Verma **....Respondent**
(Original Petitioner)

CORAM:- Hon'ble Shri Justice K. R. Shriram &
Hon'ble Shri Justice Kamal R. Khata

Date:- 08th December 2022

CONSENT TERMS

1. The parties herein have amicably settled the dispute, the terms of which read as under:
 - a) The Appellant herein agrees and undertakes to pay a sum of Rs.12,00,00,00/- (Rupees Twelve Lakhs only) to the Respondent No. 1 towards full and final settlement of all his claims including the claim of reinstatement, back wages, gratuity, bonus, leave salary, provident fund, LTA and any other claim of whatsoever nature. The said amount shall be paid within a period of (2) two weeks from

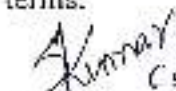


presentation of these consent terms and acceptance thereof by this Hon'ble Court.

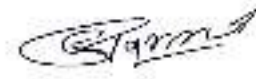
- b) The Appellant had filed a Letters Patent Appeal being LPA No 92 of 2009. This Hon'ble Court while disposing of the said LPA and remanding the matter to the Learned Single Judge vide its order dated 16.07.2009 had directed the Appellant to deposit certain back wages in this Hon'ble Court. The Appellant had accordingly deposited an amount of Rs.2,88,351/- (Rupees Two Lakhs Eighty Eight Thousand Three Hundred and Fifty One only) and the same was invested. The Respondent No.1 shall be entitled to withdraw the entire amount along with the accrued interest. The said amount will be in addition to the amount of Rs.12,00,000/- stated in clause a of these consent terms.
- c) The Appellant company shall cooperate with the respondent to withdraw the amount which was deposited with Commissioner for provident Fund
- d) Upon receipt of the said amount as per clause (a) & (b), the Respondent No. 1 declares that he has no claim of whatsoever nature against the Appellant Company or its Director/s, Manager/s and its sister concern in future.
- e) In view of this settlement as per clause (a) & (b) above, by consent of the parties, the Judgment & Order dated 19.03.1996 passed by the Ld. Labour Court, Thane in Complaint (ULP) No. 635 of 1988 and also the Judgment & Order dated 12.08.2010 passed by the Learned Single Judge in Writ Petition No. 5790 of 1997 shall stand modified and disposed off accordingly.

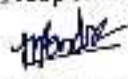
 

- f) Any tax liabilities arising out on receipt of the amounts stated in clause (a) & (b) above shall be borne by the Respondent No.1.
- g) In view of the aforesaid settlement the Letters Patent Appeal shall stand disposed off in terms of these consent terms.


 Appellant (Santosh Kumar Singh)
 Asst. G.M.
 H.R.


 Advocates for Appellant


 Respondent No. 1


 Advocate for Respondent No.1

3. Order in terms of Consent Terms. All statements accepted as undertaking to this Court.

4. Notwithstanding, the undertaking given by appellant herein, the Regional Provident Fund Officer concerned, shall act on a copy of this order authenticated by the Associate of this Court as true copy and release all amounts payable to respondent within four weeks of receiving the application from respondent.

5. Appellant undertakes to submit all forms within one week and non-submission of those forms will not be a reason not to release the

amounts to respondent and the Regional Provident Fund Office will act purely on this order.

6. The Regional Provident Fund office will not insist on or not raise any technical objections that the application is not filed in a particular format. Ordered accordingly.

7. Letters Patent Appeal disposed.

8. Registry to release the amount deposited by appellant together with accumulated interest thereon to respondent within 15 working days of receiving the application.

9. All parties to act on an authenticated copy. Certified copy expedited. Though C.C. is expedited, it will not be insisted upon by any party.

(KAMAL KHATA, J.)

(K.R. SHRIRAM, J.)