

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-3532-CWP-2015 IN/AND
CWP-1641-2015
Date of Decision: 20.05.2022

Raj Kumar

..... Petitioner

Versus

The Presiding Officer, Industrial Tribunal-cum-Labour Court-III, Faridabad
and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mrs. Abha Rathore, Advocate,
for the petitioner.

Mr. Sudhanshu Makkar, Advocate,
for respondent No.2.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of certiorari quashing the portion of award dated 26.08.2014 passed by respondent No.1.

Learned counsel for the respondent-employer has submitted that as recorded in the order dated 25.02.2020, he had sought time to get instructions whether the respondent-employer was ready to pay Rs.3,00,000/- as compensation in lieu of reinstatement. However, now the matter has already been settled with the petitioner-workman for an amount of Rs.2,00,000/- as full and final settlement and the petitioner-workman has already received the amount of Rs.2,00,000/- through a cheque bearing No.270727 dated 28.12.2020 of State Bank of India, NGM Branch, Palwal, which was issued in his name. He has also signed the receipt for the same

on 29.12.2020 and has even sworn an affidavit to that effect.

Photocopies of some documents, i.e. undertaking of the petitioner-workman, receipt of cheque bearing No.270727 dated 28.12.2020 of State Bank of India, NGM Branch, Palwal, and affidavit, have been furnished by the learned counsel for the respondent-employer in the Court today and the same are taken on record.

In view of the above, the present petition is disposed of by modifying the award in terms of the settlement.

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Since the main petition stands disposed of, the present application is also disposed of as such.

**(RAJBIR SEHRAWAT)
JUDGE**

20.05.2022
adhikari

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No