

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

206

CWP No.17854 of 2014 (O&M)
DATE OF DECISION: 30th MAY, 2022

M/s Mitasho Autotech Pvt. Ltd.

.... Petitioner

Versus

Chottee Lal (since deceased) through his LRs and another

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. A.P. Bhandari, Advocate,
for the petitioner.

Ms. Abha Rathore, Advocate
for respondent No.1.

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RAJBIR SEHRAWAT, J. (Oral)

CM-1829-CWP-2021

This is an application for bringing on record the LRs of deceased respondent No.1-Chottee Lal.

For the reasons mentioned in the application, the same is allowed for the limited purpose of conduct of proceedings of this petition only. The persons mentioned in para No.2 of the application, are allowed to be brought on record as LRs of deceased respondent No.1-Chottee Lal, subject to just exceptions. Amended memo of parties attached with the application is ordered to be taken on record.

Main Case

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of Certiorari

for quashing the order dated 25.11.2010 (Annexure P-8) and also the order dated 20.01.2012 (Annexure P-10) passed by respondent No.2.

During the course of arguments, the counsel for the petitioner, on instructions from the petitioner, has submitted that the petitioner is ready to pay an amount of Rs.6.00 Lakh in addition to whatever has already been paid to the respondent under the orders of the Court or otherwise, as the full and final settlement of the claim of the deceased-workman.

The counsel for LR's of respondent No.1 has also submitted that she has got instructions to accept the offer made by the petitioner, subject to the condition that the amount of Provident Fund of the deceased-workman shall also be payable to the LR's of respondent-workman.

In view of the above, the award passed by the Labour Court is modified by awarding the amount of compensation of Rs.7.00 Lakh as full and final settlement of the claim of the deceased-workman qua his service with the petitioner. This amount of Rs.7.00 Lakh shall be inclusive of the amount of Rs.1.00 Lakh which has already been paid to the respondent as per the interim order dated 24.09.2016 passed by this Court.

The petitioner is directed to pay the balance amount of Rs.6.00 Lakh, within a period of four weeks; by transferring the same in the bank account of the widow of the deceased-workman, namely, Shivkali Yadav, through RTGS. The counsel for the respondents shall provide the Bank Account Number of the widow of the deceased-workman to the counsel for the petitioner, during the course of the day.

However, the LR's of respondent-workman shall be entitled to get the amount of Provident Fund of the deceased-workman, if any, by applying to the concerned authority.

Since, the matter has been settled between the parties, therefore, the counsel for the respondents, on instructions from the respondents; has submitted that the respondents will not press any proceedings pending before any other Court or Forum, regarding implementation of the award, including the prosecution, if any.

The present petition is disposed of and the award passed by the Labour Court is modified to the extent as mentioned above.

The pending miscellaneous application, if any, is also disposed of as such.

30th MAY, 2022
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(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>