

227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-24313-2014 (O&M)
Date of Decision: 20.09.2022

M/s Modelama Exports

..... Petitioner

Versus

Smt. Pooja and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Sahej Mahajan, Advocate, for
Mr. Ashwani Talwar, Advocate,
for the petitioner.

Mr. Ashwani Bakshi, Advocate,
for respondent No.1.

RAJBIR SEHRAWAT, J. (ORAL)

CM-14875-CWP-2022

This is an application for placing on record the settlement deed dated 13.09.2022 entered into between the parties as Annexure A-1.

For the reasons mentioned in the application, the same is allowed and the settlement deed dated 13.09.2022 entered into between the parties is taken on record as Annexure A-1.

CM-14876-CWP-2022 IN/AND
CWP-24313-2014

This is a petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari quashing the order dated 06.08.2014 (Annexure P-1), whereby respondent No.2 has decided the reference in favour of respondent No.1-workman and has directed the petitioner to reinstate respondent No.1 with continuity in service and full back wages; and as also prayed that during the pendency of the present petition, the operation of the impugned award may kindly be stayed.

Learned counsel for the petitioner-employer has submitted that since, the matter has been amicably settled with the respondent-workman, in terms of the settlement dated 13.09.2022 (Annexure A-1), therefore, the present petition does not survive any more.

Learned counsel for the respondent-workman does not dispute the said fact.

Learned counsel for the petitioner has pointed out that pursuant to the order dated 28.11.2014 passed by this Court, some amount was deposited with the Presiding Officer, Industrial Tribunal-cum-Labour Court-II, Gurgaon, and that amount is still lying with the Labour Court. The amount deposited with the Labour Court is stated to be the full and final amount as agreed between the parties.

Accordingly, it is ordered that the said amount be paid to the respondent-workman on an application being made by her to that effect.

Needless to say that if any statutory dues are yet to be paid to the respondent-workman, the petitioner-employer would facilitate the release of the same by signing any document required to be submitted to the concerned authority for payment of the same.

In view of the above, the present petition is dismissed as having been rendered as infructuous.

(RAJBIR SEHRAWAT)
JUDGE

20.09.2022
adhikari

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No