

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2242 OF 2023

M/s. Print Plus Pvt. Ltd. & Anr.

... Petitioners

Versus

Nayan S. Malandkar

...Respondent

Mr. Nikhil Waje for the petitioners.

Ms. Rita Joshi for the respondent.

CORAM: G. S. KULKARNI, J.

DATED: 21 February, 2023

P.C.

1. Heard Mr. Waje, learned counsel for the petitioners and Ms. Joshi, learned counsel for the respondent.

2. The order impugned in this petition is the judgment and order dated 26 August, 2022 passed by the learned Member, Industrial Court at Thane whereby Revision Application (ULP) No. 31 of 2021 filed by the petitioners under section 44 of MRTU and PULP Act, 1971 has been dismissed in terms of the following order:

“ORDER

(i) *Revision (ULP) No. 31 of 2021 is hereby dismissed.*

(ii) *No orders as to costs.*

(iii) *R& P of the Complaint (ULP) NO. 118 of 2016, be sent back to the Id. Second Labour Court, Thane.”*

3. After the proceedings were heard for sometime, learned counsel for the petitioners has taken a fair stand. He submits that out of an amount of Rs. 3 lakhs as awarded by the Industrial Court, an amount of Rs. 1,50,000/- was already deposited with the Industrial Court. On instructions, he submits that the petitioners are willing to pay to the respondent, balance amount of Rs.1,50,000/- within a period of four weeks from today. He submits that on such compliance, nothing further would survive for adjudication in the present proceeding.

4. Learned counsel for the respondent is also not averse to accept the statement as made on behalf of the petitioners that balance amount would be paid to the respondent within a period of four weeks from today.

5. In the aforesaid circumstances, as the parties have come to an amicable resolution, further adjudication of the present proceeding is not called for. The petition is accordingly disposed of by the following order:

(i) The petitioners to pay to the respondent an amount of Rs.1,50,000/- within a period of four weeks from today and undertaking to this effect be placed on record of this proceeding within one week from today.

(ii) The respondent is also at liberty to withdraw the amount of Rs.1,50,000/- which is deposited by the petitioners with the Industrial Court.

6. The petition is accordingly disposed of in the above terms. No costs.

7. At this stage, learned counsel for the respondent states that the criminal complaint filed by the respondent shall be adjourned and will not be prosecuted till the entire amount is received by the respondent and after the receipt of the amount, the respondent would withdraw the complaint. Statement is accepted.

G. S. KULKARNI, J