

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7193 OF 2003**

M/s. Jaysynth Dyechem Ltd. and Anr. ... Petitioners
versus
Dyes and Chemical Workers Union ... Respondent
WITH
INTERIM APPLICATION NO.2468 OF 2020

Mr. A.K.Jalisatgi for Petitioners.
Mr. P.M.Patel for Respondent.
Mr. Kamlesh Singh, Manager of Petitioner No.1 present.
Mr. S.L.Gawde, General Secretary of Respondent present.

CORAM: N.J.JAMADAR, J.

DATE : 3 APRIL 2023

P.C.

1. Heard the learned Counsel for the parties.
2. The learned Counsel make a joint statement that the parties have amicably resolved the dispute and Memorandums of Settlement dated 2 September 2022 have been executed. The learned Counsel seek leave to tender Consent Minutes of Order. Copies of Memorandums of Settlement are annexed to the Consent Minutes of Order.
3. Leave granted.
4. Consent Minutes of Order are taken on record.
5. Mr. Kamlesh Singh, Manager (Operations) of the Petitioner No.1 and Mr. S.L.Gawde, General Secretary of the Respondent Union are present in Court.

6. They admit the contents of the Consent Minutes of Order and the execution thereof.
7. It seems that the parties have executed Memorandums of Settlement and the dispute is resolved voluntarily and there is no coercion or duress.
8. Hence, the Petition stands disposed in accordance with the Consent Minutes of Order 'X', reproduced below :

CONSENT MINUTES OF ORDER

- “1.By consent of the parties the order and judgment dated 30 September 2003 passed by the Industrial Court, Thane in Complaint (ULP) No.196 of 2000 is quashed and set aside.
2. The parties have entered into settlements dated 2nd September 2022. A copy of the each of the two settlements is annexed hereto and marked as Exhibit 1 and 2. The parties shall abide by the terms and conditions of the said settlement.
3. The Petitioner has already paid the entire amount arising out of the settlements mentioned in para (2) hereinabove to the workmen.
4. The Petitioner has deposited a sum of Rs.25,00,000/- (Rupees Twenty Five Lakh only) in the High Court as per the order dated 3rd February 2004 passed in the above numbered Writ Petition. The workmen concerned have already withdrawn 50% of the said amount. Now the Respondent is allowed to withdraw the balance amount and disburse the same amongst the workmen concerned.
5. The Petition is disposed of in above terms with no order as to cost.”

- 8A. The amount deposited by the Petitioner be allowed to be withdrawn by the respondent along with interest accrued thereon.

9. Interim Application No.2468 of 2020 also stands disposed.

(N.J.JAMADAR, J.)