

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3003 OF 2005

Tata Motors Limited

.. Petitioner

Versus

Ajmuddin Babulal Tamboli and Anr.

.. Respondents

.....

- Mr. H. N. Vakil a/w. Mr. Samkit Shah i./by Mulla & Mulla and Craigie Blunt & Caroe, Advocates for Petitioner.
- Mr. Amjad Khan, Advocate for Respondent No.1.

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CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 05, 2023

P.C.:

1. Heard Mr. Vakil, learned Advocate for Petitioner and Mr. Khan, learned Advocate for Respondent No.1.

2. Parties have reconciled their disputes and filed Consent Terms dated 05.12.2023. The same are taken on record and marked 'X' for identification. The Consent Terms are executed by Mr. Kuldeepsinh Garud, GM (Legal), Tata Motors Ltd., Petitioner; Partner for M/s. Mulla & Mulla & C.B & C., learned Advocate for Petitioner; Mr. A. B. Tamboli, Respondent and Mr. Amjad J. Khan, learned Advocate for Respondent.

3. Consent Terms are running into 3 pages. For the sake of reference and convenience, Consent Terms are scanned and reproduced below:-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3003 OF 2005

Tata Motors Limited ... Petitioner
V/s
Mr. Ajmuddin Babulal Tamboli & Anr. ... Respondents

Coram: Mr. Milind Jadhav
Date : 5th December, 2023

Mr H.N. Vakil a/w Samkit Shah i/b Mulla & Mulla and Craigie Blunt & Caroe for the Petitioner.

Mr. Amjad J. Khan for the Respondent No.1.

CONSENT TERMS

The parties herein have agreed to settle the dispute between the Petitioner and the Respondent No. 1 amicably on the following terms:

1. The Petitioner agrees to pay the Respondent No. 1, Mr. Ajmuddin Babulal Tamboli, a sum of Rs. 3,00,000/- (Rupees Three Lakh only) towards full and final settlement of all his claims including

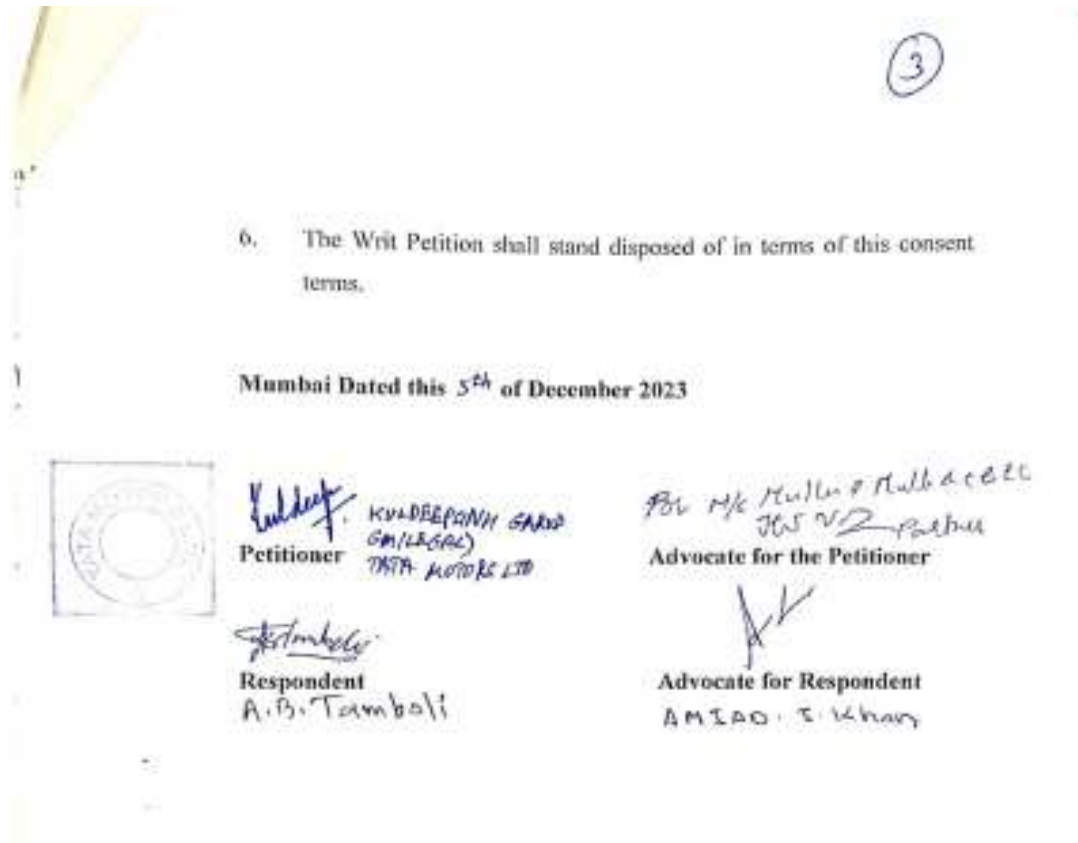
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but not limited to the claim of back wages, gratuity, leave wages, PF, superannuation or any other sort of monetary claim against the Petitioner.

2. The Petitioner has handed over to the Respondent No. 1 a cheque bearing No. 256065 dated 19.10.2023 favouring Mr. Ajmuddin Babulal Tamboli drawn on the HDFC Bank for an amount of Rs. 3,00,000/- (Rupees Three Lakh only).
3. The Petitioner had deposited with the Registrar of this Court an amount of Rs. 5,39,145/- (Rupees Five Lakh Thirty Nine Thousand One Hundred Forty Five only) towards 50% back wages as per the Order of this Hon. Court. The Petitioner has no objection in permitting the Respondent No. 1 to withdraw the said amount including interest.
4. In view of the payment as mentioned above, the Impugned Award dated 14th December, 2004 passed in ID No.713 of 1999 stands quashed and set aside.
5. The Respondent No. 1 declares that he has got no claim of whatsoever nature against the Petitioner and he further declares that all his claims against the Petitioner Company stands fully and finally satisfied.

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4. The parties are present before me and they confirm the execution of the Consent Terms and state that they shall abide by the obligations mentioned in the Consent Terms. All rights and contentions mentioned in Consent Terms are taken as undertaking given to this Court.

5. As delineated in paragraph No.2 of the Consent Terms cheque of Rs.3,00,000/- favouring Respondent No.1 has been handed over to the Respondent No.1.

6. That apart, as agreed by the parties, Respondent No.1 shall be entitled to withdraw the entire amount of Rs.5,39,145/- alongwith accrued interest thereon from the date of its deposit which has been

deposited in this Court by the Petitioner.

7. Learned Advocate for Respondent No.1 is permitted to make Application alongwith an authenticated copy of this order to the Department / Registry. Respondent No.1 shall provide the necessary details of his Bank account to the Registry in the Application seeking withdrawal of the amount.

8. Registry of this Court is directed to immediately remit the entire amount i.e. Rs.5,39,145/- alongwith all accrued interest thereon in the Bank account of Respondent No.1 within a period of one week from the date of receiving such an Application positively.

9. Order in terms of Consent Terms.

10. In view of the above, Writ Petition is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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