

2023:PHHC:115465

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

**CWP-14889-2015 (O&M)
Date of Decision: 28.08.2023**

Lakhwinder Singh (Deceased) Through LR.

..... Petitioner

Versus

Madan Kataria and another

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Gurinder Pal Singh, Advocate
for the applicants/petitioners.

Mr. Vivek Salathia, Advocate
for respondent No.1.

HARSH BUNGER J.

CM-1232-CWP-2023:

Present application is filed to place on record Annexures P-16
and P-17.

For the reasons mentioned in the application, Annexures P-16
and P-17 are taken on record, subject to all just exceptions.

Application is accordingly disposed of.

CWP-14889-2015:

1. The instant petition under Article 226 of the Constitution of India has been filed seeking issuance of a writ in the nature of *certiorari* for quashing the impugned award dated 14.03.2014 (Annexure P-4) passed by the Presiding Officer, Industrial Tribunal-cum-Labour Court-II, Gurgaon, whereby the petitioner has been ordered to reinstate the respondent-workman with continuity of service and full back wages.

2. Learned counsel for the parties are *ad idem* that the matter stands amicably resolved between the respective parties for a lump sum amount of Rs.5,00,000/-, and accordingly, learned counsel for the petitioner has brought a Demand Draft bearing No.160950 dated 08.08.2023 amounting to Rs.5,00,000/- drawn in the name of Madan Kataria (respondent No.1), in Court today. Photocopy thereof is taken on record, subject to all just exceptions.

3. Learned counsel for the parties have further stated that presently the proceedings are pending consideration before the court of Chief Judicial Magistrate, Gurugram and in terms of the aforesaid settlement arrived at between the parties, the said proceedings shall have to be closed. Accordingly, learned counsel for the parties submit that the parties may appear before the Court of Chief Judicial Magistrate, Gurugram, where the petitioner shall hand over the original of aforesaid Demand Draft No.160950 dated 08.08.2023 to Madan Kataria (respondent No.1).

4. In view of the aforesaid submissions made by learned counsel for the respective parties and the settlement arrived at between the parties, no further orders are called for in the instant writ petition. The parties are directed to appear before the Court of Chief Judicial Magistrate, Gurugram on 21.09.2023 to honor the terms of settlement arrived at between them.

5. Present petition is accordingly disposed of.

6. All pending application(s), if any, shall also stand closed.

28.08.2023

Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No