

2023:PHHC:122195

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

**CWP-5519-2016 (O&M)
Date of Decision: 12.09.2023**

Turkmenistan Airlines and another

..... Petitioners

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Saurabh Gautam, Advocate
for the petitioners.

Mr. R.S. Longia, Advocate
for respondent No.4.

HARSH BUNGER J. (ORAL)

1. Petitioners have filed the instant writ petition under Articles 226/227 of the Constitution of India seeking quashing of *ex parte* award dated 31.07.2015 (Annexure P-2) passed by the Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court-1, Chandigarh, whereby the reference was answered in favour of respondent No.4-workman.

2. At the outset, learned counsel for the parties submit that the matter has been amicably settled between the parties concerned for a lumpsum amount of Rs.2,00,000/-, which is to be paid by the petitioners to respondent No.4-workman.

3. It is submitted that the settlement has taken place between the parties on the following terms and conditions:-

- (i) The petitioners shall pay a sum of Rs.2,00,000/- to respondent No.4, in full and final settlement of all his claims *qua* the petitioners.
- (ii) Respondent No.4 shall not pursue the execution of impugned order dated 31.07.2015 passed by the Central Government Industrial Tribunal-cum-Labour Court-1, Chandigarh, whereby termination of respondent No.4-workman has been set aside w.e.f. 17.11.2009 and he shall also not claim any reinstatement or any back wages or consequential benefits from the petitioners.
- (iii) Respondent No.4 shall have not past, present or future claims whatsoever against the petitioners in any manner whatsoever and the petitioners shall not be liable in any manner whatsoever to respondent No.4.

4. Learned counsel for the petitioners submits that in pursuance of aforesaid settlement, he has brought in Court a Demand Draft bearing No.000066 dated 11.09.2023 amounting to Rs.2,00,000/- in favour of Ravi Kumar (respondent No.4-workman), which is handed over to learned counsel representing respondent No.4, in Court today itself, who states that he has instructions to accept the same as the matter stands amicably settled. Photocopy of the said demand draft is taken on record, subject to all just exceptions.

5. Learned counsel for respondent No.4 submits that upon encashment of said Demand Draft bearing No.000066 dated 11.09.2023, no further claim/amount shall be due from the petitioners.

6. At this stage, learned counsel for the petitioners submits that in

view of the settlement arrived at between the parties, he may be permitted to withdraw the instant petition.

7. Keeping in view the aforesaid facts and circumstances and also the submissions made by learned counsel for the parties, the present petition is dismissed as withdrawn. Parties shall remain bound by the settlement arrived at between them.

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

12.09.2023

Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No