

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.584 OF 2024

Leopold Cafe Kamgar Sanghatana

....Petitioner

V/S

Leopold Cafe & Stores

....Respondent

Ms. Sudha Bharadwaj with Ms. Meenaz Kakalia *for the Petitioner-Union.*

Mr. Cyrus Bharucha with Ms. Anuja Jhunjhunwala and Ms. Shriya Mehta i/
b M/s. M. Mulla Associates *for Respondent.*

CORAM: SANDEEP V. MARNE, J.

DATE : 08 MAY 2024.

P.C.:

1 Ms. Bharadwaj, the learned counsel appearing for the Petitioner and Mr. Bharucha, the learned counsel appearing for the Respondent jointly submit that parties are amicably resolved the disputes amongst themselves. Consent Terms are tendered. Under the Consent Terms Respondent has agreed to pay an amount of Rs.40,00,000/- to the Petitioner-Union towards full and final settlement in respect of 10 employees whom the Petitioner-Union represented before the Industrial Tribunal. The Petitioner-Union has taken responsibility to distribute the said amount of compensation of Rs.40,00,000/- to the 10 employees. In pursuance of the agreement arrived at between the parties, Mr. Bharucha has handed over to Mr. Bharadwaj a cheque of Rs.10,00,000/- towards the first installment. The balance amount by way of installments is to be paid as agreed in terms of paragraph 4 of the Consent Terms.

2 It must be observed that Union is Petitioner in the present Petition and in that sense, it was not really necessary to secure the signatures of concerned employees on the Consent Terms. The Petitioner-Union has however procured signatures of seven employees on the Consent Terms. In respect of three employees Mr. Abdul Jalil A.K. Wavgharkar, Mr. Samson Paul Gabriel, Sonali Patil w/o Late Nilesh Arjun Patil, the Consent Terms signed by their authorized representatives. Letters of authorisation of the said representatives also produced alongwith Consent Terms.

3 Consent Terms are taken on record and marked 'X' for identification. Statements made in the Consent Terms are accepted as undertaking given to this Court.

4 Award dated 19 December 2019 passed by the Industrial Tribunal, Mumbai shall stand modified in view of the Consent Terms filed between the parties.

5 Efforts of Ms. Bharadwaj and Mr. Bharucha in helping parties to arrive at amicable resolution of dispute are appreciated.

6 Writ Petition is disposed of in view of the Consent Terms.

(SANDEEP V. MARNE, J.)