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

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**CM-14027-CWP-2021 and
CM-4374-CWP-2023 in/and
CWP-9174-2009
Date of Decision : 22.07.2025**

M/s Mehra Beverages (P) Ltd.

....Applicant-Petitioner

VERSUS

Madan Lal and Another

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. A.P.Bhandari, Advocate and
Ms. Bhargavi, Advocate for the applicant-petitioner.

Mr. B.S.Tewatia, Advocate for non-applicant/respondent No.1.

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HARSIMRAN SINGH SETHI, J. (Oral)

1. Mr. B.S.Tewatia, Advocate has filed his vakalatnama on behalf of respondent No.1, today in Court, which is taken on record.
2. The main case is on the regular board and on the joint request of learned counsel for the parties, the same is taken up for hearing today.
3. Learned counsel for the parties agreed that the present petition can be disposed of in view of the amicable settlement between the parties, according to which as the respondent-workman has attained the age of superannuation, he will not demand re-instatement as per impugned award but the back-wages awarded by the Labour Court vide award dated 27.02.2009 (Annexure P-20), which has already been deposited by the petitioner-company before the Labour Court, will be released in favour of the respondent-workman.

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4. Further, till the age of superannuation is attained by the workman, keeping in view the fact that the award qua the re-instatement was stayed, in case the payment under Section 17-B of the Industrial Disputes Act, 1947 (hereinafter referred to as, 'the 1947 Act') has not been made, the workman will be at liberty to avail the remedy under Section 33(C)(2) of the 1947 Act, to claim the said benefit upto the date of retirement and the present petition be disposed of that the same will be treated as full and final settlement between the parties especially when the petitioner-company has already been closed.

5. Keeping in view the assertion by the respective parties, the present petition is disposed of in the above agreed terms by the respective parties directing the Labour Court to release the back-wages deposited by the petitioner-company in favour of the respondent-workman on an application moved by the workman in this regard. Further, though the petitioner has stated that it had made the payment under Section 17(B) of the Act upto the date of superannuation of the workman, in case the workman is of the view that all the payment has not been received by him, he will be at liberty to avail appropriate remedy under Section 33(C)(2) of the 1947 Act, to claim Section 17(B) wages, in case they have not been paid.

6. Pending application(s), if any, shall also stand disposed of.

July 22, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : No