

BEFORE R. U NAGARGOJE, JUDGE,
THIRD LABOUR COURT, THANE
MIS. APPLICATION (IDA)NO. 1/2018

1. M/s. Sagar Shekhar Textiles & Ors. .. Applicant.
V/s.
Shri. Santoshkumar Ramvilas Jaiswal & Anr. .. Opponents.

ORDER BELOW EXH.U-1
(Dated:29-11-2018)

1] This Mis. Application came to be transferred by an order dated 2.11.2018 of Hon'ble Incharge President, Industrial Court, Maharashtra from 4th Labour Court to this Court.

2] Advocate L.P Vishe for the applicant and the union representative P. N. Singh have filed pursis below Exh. UC-2. It is stated therein that amicable settlement arrived at between the parties and terms of settlement filed on record which is below Exh. C-22. It appears that it is signed by opponent No.1 Santoshkumar Ramvilas Jaiswal and Adv. Mohd. Arif Ansari . The incharge court passed the order dated 1.11.2018 which is reproduced as it is “ in view of application passed order on Exh. U-1”. However, it does not reflect in proceedings sheet of dated 1.11.2018. The court of clerk M.R. Madane stated that inadvertently it is not mentioned in proceedings sheet of the said date. It appears from the record that the amicable settlement arrived at between the parties to restore Ref. (IDA) No. 7 of 2014. It also appears from the record that the concerned parties also filed terms of settlement in advance in Ref. (IDA) No. 7 of 2014 which in fact was not restored. Unless the said reference is

restored to its original position, the said terms and conditions of settlement cannot be taken into account. The parties are at liberty to withdraw those terms and conditions of settlement and subsequently file it on record in Ref. (IDA) No. 7 of 2014. In view of terms of settlement arrived between the parties, the present Mis. Application (IDA) No. 1 of 2018 is hereby allowed. The Ex-parte award dated 26.9.2016 is set aside. Ref. (IDA) No. 7 of 2014 is hereby restored to its original position on balance sheet of 4th Labour Court at Thane. The parties are hereby directed to appear before 4th Labour Court, Thane on 21.12.2018. Issue request letter to in charge court of 4th Labour Court, Thane.

Sd/-

(R. U. Nagargoje)

Judge

Third Labour Court, Thane.

Date: 29-11-2018

Ddg/-