

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4276 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE H.L.GOKHALE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

DY. EXECUTIVE ENGINEER

Versus

MOHANBHAI MADHABHAI BARIYA

Appearance:

MR MUKESH R SHAH for Petitioners

MR RV DESAI for Respondent No. 1

CORAM : MR.JUSTICE H.L.GOKHALE

Date of decision: 24/10/97

ORAL JUDGEMENT

Heard Mr. Shah for the petitioners. Rule had been issued on this matter by Calla J. on 21/8/1997. After this matter was heard for sometime, it is agreed between the parties that the impugned award dt. 1/1/1997 in Ref. No.1/94 be quashed and set aside on the condition that the petitioners pay to the respondent an amount of Rs.7,000/00 which will be paid by cheque before Diwali i.e. before 29/10/1997.

In view of the understanding between the parties,
the petitioners are directed to make the payment as
stated above. The impugned award is hereby quashed and
set aside and Reference will stand restored to the File
of the learned Judge of the Labour Court at Godhra. The
learned Judge will endeavour to dispose of the same
expeditiously and preferably by the end of April, 1998.
Needless to say that the learned Judge of the Labour
Court will permit the parties to tender the evidence oral
as well as documentary. The petition is allowed. Rule
is made absolute accordingly, with no order as to costs.
Direct service is permitted.

(ccs)