

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6035 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
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? : NO

MAHATEX HANDLOOM FABRICS

Versus

ADESHKUMAR C JAIN

Appearance:

MR NILESH A PANDYA for Petitioner
MRS KETTY A MEHTA for Respondent No. 1
NOTICE SERVED for Respondent No. 2, 3

CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 30/03/2001

ORAL JUDGEMENT

#. The learned counsel Mr.N.A.Pandya, for the petitioner submitted that the dispute as regards the dues of respondent no.2 has already been settled outside the Court. It is further submitted that as for the

respondent nos.1 and 3 the petitioner has, by written instruction, a copy of which is placed on record, agreed to make payment of the total amount due as per the impugned award of the Labour Court. Therefore, the grievance made in the petition does not survive. The learned counsel appearing for respondent no.1 submitted that the amount lying deposited in the Court in respect of the claim of respondent nos.1 and 3 totaling to Rs.17,704.48ps deposited on 19.12.1988, is required to be disbursed in proportion of the amount due to each of the respondents alongwith interest accrued thereon.

#. Accordingly, the petition is disposed as withdrawn with the direction that the respondent nos.1 and 3 shall be paid the due and deposited amount of Rs.10,596.30ps and Rs.7,108.18ps respectively alongwith the interest accrued thereon so far, subject to the amount withdrawn, if any, by the respective respondents. With this direction to the office, the petition stands disposed and ruled is discharged with no order as to costs.

(D. H. WAGHELA, J.)

kks