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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1228/2010**

HAMDARD (WAKF) LABORATORIES ..... Petitioner  
Through: Mr. S.B. Upadhyay, Sr. Advocate  
with Mr. Pawan Kishore Singh, Ms.  
Anish Upadhyay and Mr. Sarvjit  
Pratap Singh, Advocates.

versus  
HANEEF UDDIN ..... Respondent  
Through: Mr. M.A. Niyazi, Advocate with  
Respondent in person.

**AND**

+ **W.P.(C) 3561/2010**

HANEEF UDDIN ..... Petitioner  
Through: Mr. M.A. Niyazi, Advocate with  
Petitioner in person.

versus  
HAMDARD LABORATORIES ..... Respondent  
Through: Mr. S.B. Upadhyay, Sr. Advocate  
with Mr. Pawan Kishore Singh, Ms.  
Anish Upadhyay and Mr. Sarvjit  
Pratap Singh, Advocates.

**CORAM:**  
**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**  
**31.07.2012**

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1. The matter was heard on 24<sup>th</sup> July, 2012 when both the counsels agreed that the workman Haneef Uddin would be entitled to at least 50% of the back wages in view of the settled legal position. Thus this Court had directed the learned counsel for the Management to place on record an

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been compared and the digital data is as per  
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affidavit of the authorized person of the Management to show the income/salaries and other emoluments paid to the persons similarly placed as the workman, during the relevant period, along with the evidence thereto.

2. Learned counsel for the Petitioner states that the affidavit has been filed on 28<sup>th</sup> July, 2012. As per the affidavit of Mr. Javed Akhtar, Manager (Legal) of the Management on the basis of records kept in their office the total salary receivable by the Respondent from the date of his dismissal till the date of his superannuation, that is, from 16<sup>th</sup> November, 1982 till 17<sup>th</sup> March, 2006 comes to Rs. 13,61,324.61 only. This is the amount equivalent to the scale paid to the other employees. Thus the 50% amount comes to Rs.6,80,682.30 only. Though learned counsel for the Petitioner wanted to further deduct Rs.2,30,000/- as Rs.1,000/- per month income from agricultural, however, that may not be permissible. Faced with this situation both the parties, that is, the Management and the workman Mr. Haneef Uddin have entered into a compromise. Mr. Javed Akhtar, Manager (Legal) of the Management and Mr. Haneef Uddin state that they are agreeable to settle the matter for a sum of Rs. 7 lakhs which is lying deposited with the Registry of this Court.

3. The workman Mr. Haneef Uddin, who is present in Court and is duly identified by the learned counsel, states that on receipt of a sum of Rs. 7 lakhs which is lying deposited with the Registry of this Court he will have no claim whatsoever due towards the Management.

4. Mr. Javed Akhtar, Manager (Legal) of the Management, duly identified by the learned counsel says that he is authorized to settle the matter with the workman. He has no objection on behalf of the Management if a sum of Rs. 7 lakhs lying deposited with this court are released to Mr.

Haneef Uddin in full and final settlement of all his claims.

5. Both the parties, that is, Mr. Haneef Uddin, the workman and Mr. Javed Akhtar, the authorized representative of the Management have signed this order sheet in acknowledgment of their statements made before this Court.

6. Vide order dated 2<sup>nd</sup> March, 2010 this Court had directed the Management to deposit a compensation amount of Rs. 7 lakhs. The same is lying deposited with the Registry of this Court. Mr. Haneef Uddin would be entitled to receive a sum of Rs. 7 lakhs so deposited and the interest that may have accrued on this amount will be returned to the Management.

7. Registry is directed to release Rs. 7 lakhs in the name Mr. Haneef Uddin, by an account payee cheque through the counsel. Registry is further directed to release the interest that has accrued on the amount of Rs. 7 lakhs to M/s Hamdard (Wakf) Laboratories.

8. In view of the settlement arrived at between the parties the award dated 14<sup>th</sup> September, 2009 is set aside.

Petitions are disposed of.

*Mukta Gupta*  
MUKTA GUPTA, J.

**JULY 31, 2012**

'vn'

*(Javed Akhtar)*

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Identified by me:  
Rana Subhash Bhatnagar  
D/108/99

*Haneef Uddin*  
*(M.A. Mirza)*  
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