

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).16661/2011
(From the judgement and order dated 18/03/2011 in CWP No.720/2005,LPA
No.37/2010 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

MOHAN SINGH PURI Petitioner(s)

VERSUS

THE PRESIDING OFFICER LABOUR COURT & ORS Respondent(s)
(With appln(s) for permission to appear and argue in person and prayer for
interim relief)

WITH SLP(C) NO. 16754 of 2011

(With appln(s) for permission to appear and argue in person and prayer for
interim relief)

Date: 27/07/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s) Petitioner-In-Person

For Respondent(s) Mr. R.S. Suri,Sr.Adv.

Ms. Suruchi Suri,Adv.

Mr. Brijesh Chaudary,Adv.

Ms. Pallavi Tayal,Adv.

Mr. Rohit Aggarwal,Adv.

Mrs. Gurminder Suri,Adv.

Mr. Chanchal Kumar Ganguli,Adv.

UPON hearing counsel the Court made the following

O R D E R

The petitioner is present in person. Mr. R.S. Suri, learned senior counsel appearing for respondent No. 2 - employer is also present. Both the petitioner and Mr. Suri submit that they are not averse to exploring the possibilities of an amicable settlement. They also agree that instead of sitting across the table in a mediation centre, it would be more appropriate, if Justice Kuldeep Singh, a former Judge of this Court, is requested to help the parties in arriving at a fair and reasonable settlement keeping in view the nature of the dispute and the issues that fall for determination.

We are conscious of the fact that Justice Kuldeep Singh is a busy person and may find it difficult to spare time for reserving a dispute like the present especially when it does not have any much less a significant public importance. At the same time we are confident that a request from this Court for helping the cause of justice by bringing about a settlement will not be turned down by Justice Kuldeep Singh.

We accordingly, refer the parties to Justice Kuldeep Singh for exploring the possibilities of an amicable settlement. We do not wish to lay down the parameters of such a settlement but the same could be in the form of reinstatement of the petitioner in service and if that is not acceptable to the employer - respondent No. 2, for any reason, in the form of a compensatory payment sufficient to redress the grievance of the petitioner. We may at this stage mention that as per Mr. R.S. Suri, learned Senior Counsel appearing for the employer - respondent No.2, there is no possibility of reinstatement being acceptable to the respondent employer as there is complete loss of

faith and confidence between the parties. We leave it to Justice Kuldip Singh to look into that aspect also when the parties appears before him.

Parties are free to approach to Justice Kuldip Singh for fixing a date convenient to His Lordship. Justice Kuldip Singh shall be free to determine his fee for the time spent by him which shall be paid to him by respondent No. 2 - Employer in its entirety.

Post after three months to await the outcome of the efforts for a settlement.

|(N.K. Goel)
|Court Master

| |(Veena Khera)
| |Court Master

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