

Arunesh Punetha vs Boston Scientific Internation Bv & Anr on 21 March, 2018

Author: Valmiki J. Mehta

Bench: Valmiki J. Mehta

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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ RFA 281/2018 and C.M. No.10998/2018 (exemption)

ARUNESH PUNETHA

..... Appellant
Through: Mr. Ramesh Kumar, Advocate with
Mr. Siddharth Pandey, Advocate.

versus

BOSTON SCIENTIFIC INTERNATIONAL BV & ANR. Respondents

Through: Mr. C.D. Mulherkar, Advocate for
respondent No.1.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% 21.03.2018

1. This appeal is allowed to be withdrawn inasmuch as it is agreed that the respondent no.1/employer will issue a letter of termination of services to the appellant/plaintiff as a simpliciter letter of termination as per the mutual agreement and which will be in supersession of the earlier termination letter dated 9.2.2004. On the respondent no.1 issuing this letter no further claims of any of the parties will remain against the other including of any claim of the appellant/plaintiff in this suit. It is also agreed that merely because the appellant/plaintiff is receiving fresh letter no representation will be made by the appellant/plaintiff or nor will any proceedings legal or otherwise will be ensued with respect to any validity or otherwise of termination of services of the appellant/plaintiff by seeking any liability against the defendants in the suit and who are the respondents in this appeal. The letter will now be issued by the respondent no.1 in favour of the appellant/plaintiff within two weeks from today and the same be delivered to the counsel for the appellant.

2. Appeal is accordingly allowed to be withdrawn. The impugned judgment dated 28.11.2017 is hereby set aside with the consent of the parties.

3. Since the appeal is allowed to be withdrawn before arguments, appellant is held entitled to refund of 50% of the court fee in terms of Section 16-A of the Court-Fees Act, 1870 (as applicable to Delhi). Registry will issue the necessary certificate in favour of the appellant.

VALMIKI J. MEHTA, J MARCH 21, 2018 Ne