

Court No. - 1

Case :- SPECIAL APPEAL DEFECTIVE No. - 784 of 2023

Appellant :- U.P. Forest Corporation, Aranya Vikas Bhawan, Lko. Thru. Managing Director And Others

Respondent :- Rama Shankar Giri

Counsel for Appellant :- Rishabh Tripathi

Counsel for Respondent :- Alok Singh

Hon'ble Attau Rahman Masoodi,J.

Hon'ble Om Prakash Shukla,J.

1.This intra- court appeal filed under Chapter VIII Rule V of Allahabad High Court Rules, 1952 is delayed by 40 days.

2.An application for condonation of delay supported with an affidavit has been filed alongwith the appeal.

3.Reasons have been spelt out in the affidavit filed in support of delay condonation application to which there is no objection.

4. In absence of any objection and the cause shown being sufficient, the delay in filing the present intra court appeal is condoned and the application is allowed.

Order on Memo of Appeal

5. Heard learned counsel for the appellants and learned Standing Counsel for the respondent.

6. Having heard on the rate of interest, it is not in dispute that the Payment of Gratuity Act,1972 under Section 7 sub section (3) provides for the payment of amount due alongwith simple interest in the event of delay.

7. We accordingly clarify that apart from the payment of gratuity and leave encashment which has already been released, the respondent-employee shall further be compensated with the payment of interest as per the provisions of the Payment of Gratuity Act i.e. simple interest for the period in dispute.

Order Date :- 13.10.2023/Shahnaz