

Court No. - 7

Case :- WRIT - A No. - 9111 of 2023

Petitioner :- Virendra Kumar Singh

Respondent :- State Of U.P. Thru. Prin. Secy. Dairy Development Deptt.
Lko And 2 Others

Counsel for Petitioner :- Pradeep Kumar Tripathi

Counsel for Respondent :- C.S.C.,Shanker Lal

Hon'ble Abdul Moin,J.

1. Vakalatnama filed by Ms Shruti Sahu, Advocate, on behalf of respondents no. 2 & 3 is taken on record.

2. Heard learned counsel for the petitioner, learned Standing Counsel for the respondent no. 1 and Ms Shruti Sahu, learned counsel for the respondents no. 2 & 3.

3. Present petition has been filed by the petitioner claiming interest on delay in payment of the gratuity to the petitioner.

4. Submission of learned counsel for the petitioner is that the petitioner retired on 31.07.2021 whereas the gratuity was paid on 18.10.2023 as detailed in Para - 7 of the writ petition.

3. Considering the fact that on payment of gratuity, the statutory interest is prescribed under Section 7(3A) of the Payment of Gratuity Act, the present petition is disposed of directing respondents to ensure payment of interest at the rate of 7% per annum on the amount of delay in payment of gratuity.

4. The amount of interest shall be paid from the date of retirement till the actual payment as indicated in Para - 7 of the writ petition.

5. The interest as directed to be awarded herein above, shall be paid to the petitioner positively within a period of four months from the date of production of a certified copy of this order.

6. In case, the amount is not paid within a period of three months as directed above, the same shall carry a further interest at the rate of 7% on the unpaid interest as directed above.

7. The writ petition is **disposed of** in above terms.

Order Date :- 28.11.2023

J.K. Dinkar