Court No. - 8

Case :- WRIT - A No. - 9325 of 2023

Petitioner :- Niyaz Ahmad
Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Basic Education, Lko. And 6 Others
Counsel for Petitioner :- Chandresh Mani Shukla
Counsel for Respondent :- C.S.C.,Ran Vijay Singh

Hon'ble Pankaj Bhatia,J.

Heard learned counsel for the petitioner, learned Standing counsel appearing on behalf of respondents no. 1, 3 & 6, Sri Ran Vijay Singh, learned counsel appearing on behalf of the respondents no. 2 & 4 and Dr. Uday Veer Singh, learned counsel for the respondents no. 5 & 7.

With the consent of learned counsel appearing on behalf of the contesting parties, the instant writ petition is being finally decided.

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

Submission of learned counsel for the petitioner is that the petitioner's wife died in the year 2005 whereas the gratuity was paid in the month of June, 2023 as detailed in Para - 6 of the writ petition.

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 off directing respondents to ensure payment of interest at the rate of 7% per annum on the amount of delay in payment of gratuity.

The amount of interest shall be paid from the date of death till the actual payment as indicated in Para - 6 of the writ petition.

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.

The writ petition is disposed of in above terms.

Order Date :- 6.12.2023
nishant

Digitally signed by :-
NISHANT MOHAN
High Court of Judicature at Allahabad,
Lucknow Bench