

Court No. - 20

Case :- WRIT - A No. - 9509 of 2023

Petitioner :- Anand Kumar Tripathi

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Agriculture, Lucknow And Another

Counsel for Petitioner :- Rakesh Kumar Tripathi, Puneet Tripathi

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

1. Heard learned counsel for petitioner and learned State Counsel appearing on behalf of opposite parties.
2. Petition has been filed seeking a direction to opposite parties for payment of interest on delay payment of gratuity.
3. Ms. Parul Bajpai, learned State counsel however has adverted to directions already passed in Writ A No.1436 of 2022 filed earlier by petitioner in which such interest was already claimed. The said petition was allowed by means of judgment and order dated 31.10.2022 directing opposite parties to pay gratuity to petitioner within a period of six months. It appears that subsequently petitioner filed Contempt Application (Civil) No.1977 of 2023 which was dismissed vide order dated 18.09.2023 however liberty was granted to petitioner to make a representation before concerned authority for interest on delayed payment of gratuity.
4. It is submitted that despite such directions, the interest on delayed payment has not yet been made.
5. Considering the aforesaid facts that directions have already been issued to opposite parties with regard to decision on petitioner's claim for interest on delayed payment of gratuity, it was incumbent upon opposite parties to have decided the said claim.
6. In view of aforesaid, opposite party No.2 i.e. Director, Department of Agriculture, U.P. Lucknow is directed to decide petitioner's such claim as directed earlier by this Court within a period of eight weeks from the date a certified copy of this order is produced before said authority.
7. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 14.12.2023

Subodh/-