

Court No. - 19

Case :- WRIT - A No. - 9766 of 2023

Petitioner :- Shabiha Bano

Respondent :- State Of U.P. Thru. Secy. Deptt. Of Basic Education Lko
And 3 Others

Counsel for Petitioner :- Amit Kumar Awasthi

Counsel for Respondent :- C.S.C., Prashant Kumar Singh

Hon'ble Jaspreet Singh, J.

1. Present petition has been filed by the petitioner claiming interest on delayed payment of the gratuity.
2. Submission of learned counsel for the petitioner is that the petitioner's husband died on 19.10.2016 whereas the gratuity has been credited in the account of the petitioner on 03.03.2022, but till the date no interest has been paid, hence the instant 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 off** 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 death till the actual payment as indicated in Para - 4 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 off in above terms.
8. This order has been passed in the presence of learned Standing counsel appearing for respondent nos. 1 to 4.

Order Date :- 19.12.2023

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