

Court No. - 7

Case :- WRIT - A No. - 9868 of 2023

Petitioner :- Smt. Sunita Devi

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

Counsel for Petitioner :- Ramesh Chandra

Counsel for Respondent :- C.S.C.,Net Ram

Hon'ble Abdul Moin,J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the respondents no. 1 & 2 and Shri Net Ram, learned counsel for the respondents no. 3 & 4.
2. With the consent of learned counsel appearing for the contesting parties, the writ petition is being finally decided.
3. Present petition has been filed by the petitioner claiming interest on delay in payment of the gratuity.
4. Submission of learned counsel for the petitioner is that the petitioner's husband died in the year 2020 whereas the gratuity was paid in the month of October, 2023 as detailed in Para - 6 of the writ petition.
5. 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 the respondents to ensure payment of interest at the rate of 7% per annum on the amount of delay in payment of gratuity.
6. 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.
7. The interest as directed to be awarded herein above, shall be paid to the petitioners positively within a period of four months from the date of production of a certified copy of this order.
8. The writ petition is disposed of in above terms.

Order Date :- 21.12.2023

J.K. Dinkar