

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 22787 of 2013

=====

M/s Asiatic Oxygen and Acetylene Co. Ltd. Phulwaria, Barauni, Begusarai
through Assistant Branch Manager Mr Kaushik Ghosh

.... Petitioner

Versus

1. The State of Bihar through the Deputy Commissioner of Labour cum Authority Under Payment of Gratuity Act Begusarai
2. The Certificate Officer Begusarai, Distt - Begusarai
3. Kaushal Kishore Prasad S/o Late Bishundeo Narayan Sinha Vill - Bishunpur, Bachnu Tola P.O. Bishunpur, Distt: - Begusarai

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Satyendra Krishna Prasad
For the State : AC to SC - 23

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 22-07-2015 Heard learned counsel for the petitioner and learned
A.C. to Standing Counsel – 23.

The petitioner has directly approached this Court against an order passed by the Deputy Commissioner of Labour-cum-Controlling Officer under the Payment of Gratuity Act, 1972 in Case No. – G.A.- 01 of 2006. By the said order, the controlling authority directed the petitioner, who is employer of respondent no. 3, to pay Rs. 63,360/- (sixty three thousand three hundred & sixty) as gratuity amount with 12% interest to respondent no. 3.

Ofcourse, there was statutory provision of appeal, the petitioner, instead of availing said remedy, approached this Court by filing the present writ petition that too in a case where direction

was given to the petitioner to pay a meager amount to its employee.

The Court is of the opinion that once, there is statutory provision of appeal, one may not be allowed to directly invoke the writ jurisdiction.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

Anay

U			
---	--	--	--