

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 27985 of 2015 (W)

PETITIONER:

PAMBA ELECTRONIC SYSTEMS PVT. LTD.
PAMBA HOUSE, KUREKKAD P.O.,
THIRUVAMKULAM, ERNAKULAM - 682 305
REPRESENTED BY ITS MANAGING DIRECTOR
P.S. SASIDHARAN.

BY ADVS. SRI. M. S. UNNIKRISHNAN
SRI. JITHIN PAUL VARGHESE
SMT. M. PPRIYANKA
SMT. T. P. SHELNA
SRI. C. DHEERAJ RAJAN

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY
CHIEF SECRETARY, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
2. DEPUTY LABOUR COMMISSIONER
OFFICE OF THE REGIONAL JOINT LABOUR
COMMISSIONER, KAKKANAD, ERNAKULAM 682 030.
3. NITHEESH KUMAR N.B.
NEDIYAMPARAMBIL HOUSE
ARTHUNKAL P.O., CHERTHALA,
ALAPPUZHA - 682 305.

BY GOVERNMENT PLEADER SMT. K.A. SANJEETHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF ORDER DATED 28.04.2015 ISSUED BY 2ND
RESPONDENT IN G.C. 51 OF 2014.
- EXHIBIT P2 : TRUE COPY OF OTICE DATED 25.07.2015 ISSUED BY 2ND
RESPONDENT.
- EXHIBIT P3 : TRUE COPY OF REPLY ISSUED BY PETITIONER TO 2ND
RESPONDENT DATED 10.08.2015.
- EXHIBIT P4 : COPY OF THE REPLY LETTER ISSUED BY 2ND RESPONDENT TO
THE PETITIOER DATED 21.08.2014.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 27985 OF 2015

Dated this the 16th day of September, 2015

JUDGMENT

Ext.P1 order obliges the petitioner to pay gratuity to the third respondent. Therefore Ext.P2 show cause notice following Ext.P1 order cannot be faulted with.

2. The payment of gratuity due to an employee cannot brook delay. I however permit the petitioner to pay the amounts in two instalments.

3. The first instalment shall be paid on or before 15.10.2015 and the second instalment on or before 30.11.2015. Any failure to pay the instalments will result in the coercive proceedings being continued.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd