

HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

WRIT PETITION No. 36314 of 2016

ORDER:

Heard learned counsel for the petitioner; learned Government Pleader for Labour for respondents 1 to 3 and Sri K.V. Satyaramachandra Rao, learned counsel for respondent No.4.

The fourth respondent had raised a dispute *vide* P.G.No.13 of 2012 before the third respondent under the Payment of Gratuity Act, 1972 (for short 'the Act'). The said P.G was allowed on 30.12.2014. Aggrieved by the same, the petitioner preferred Payment of Gratuity Appeal No.1 of 2015 before the second respondent and the same is pending. The petitioner filed two applications before the second respondent, one seeking permission to adduce evidence and another to receive certain documents.

Learned counsel for the petitioner contends that the second respondent refused to receive the said applications and he is proceeding to decide the appeal.

Learned counsel for the fourth respondent states that the documents sought to be filed by the petitioner were not filed before the original authority. But, he is not able to point out any provision of the Act, which prohibits the appellate authority from receiving documents at the appellate stage.

In this view of the matter, the second respondent is directed to decide the applications filed by the petitioner seeking permission to adduce evidence and to receive documents before deciding PGA No.1 of 2015.

The Writ Petition is accordingly disposed of. No costs.

Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

Date: 26.10.2016

Note: Issue CC by tomorrow

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