

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 7684 of 2007

- Smt. Jagni Devi, aged about 76 years, W/o Late B. Thakur, Qtr. No.LCH-75, Saheed Bhagat Singh Colony, PO Korba Colliery, Korba (C.G.)

---- Petitioner

Versus

1. Controlling Authority under the Payment Gratuity Act, 1972/Assistant Labour Commissioner (Central) Near Torwa Naka, Bilaspur (C.G.)
2. The Appellate Authority/Regional Labour Commissioner (Central) Civic Centre, Marhathal, Jabalpur (M.P.)
3. South Eastern Coalfields Limited Through Its Chief General Manager, Korba Colliery, District - Korba (C.G.)
4. Regional Labour Commissioner, (Central) L-7, Sector -I, Avanti Vihar, District - Raipur (C.G.)

---- Respondents

For Petitioner	None
For Respondent Nos.1, 2 & 4	Shri R. K. Gupta, Advocate
For Respondent No.3	Shri Abhishek Sinha, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

09/05/2017

1. Petitioner is claiming interest on the amount of gratuity which remained deposited with the respondent No.1 during the pendency of the proceedings, however, the same could not be disbursed to the petitioner on account of pendency of litigation.

2. Against the initial order passed by the Controlling Authority, an appeal was preferred before the Appellate Authority under the Payment of Gratuity Act, 1972 and thereafter writ petition was preferred before this Court, the lead case being WP No.2926/1993, which came to be dismissed on 09.05.2007 holding the employer liable to pay the amount of gratuity, thereby affirming the order passed by the Controlling Authority.
3. By interim order dated 05.04.2010 in this petition, this Court observed that the SECL having already deposited the gratuity amount along with interest with the Controlling Authority, the employer is not liable to pay any other interest. Similarly in WP No.2326/1993 also, this Court did not direct for payment of interest to the petitioner or like employees whose claim for gratuity was allowed by the Controlling Authority.
4. Today, no one appears to press this petition, however, this Court proceeded to examine the merits with the assistance of learned counsel for the respondents and by perusing the record.
5. Having seen the papers and having heard the learned counsel for the respondents, this Court does not find any merit in this petition. It deserves to be and is accordingly dismissed.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala