

HIGH COURT OF CHHATTISGARH, BILASPUR

WA No. 144 of 2017

1. South Eastern Coal Field Ltd. Through : Chairman Cum Managing Director, South Eastern Coal Fields Ltd. Seepat Road, Bilaspur, Chhattisgarh.
2. Sub Area Manager, South Eastern Coalfield Limited, Bishrampur, Amgaon, Sub Area, Post Bishrampur Colliery, District Surajpur (Chhattisgarh)
3. Controlling Authority Under Payment Of Gratuity Act And Regional Labour Commissioner (Central), Bilaspur, District Bilaspur (Chhattisgarh)

---- Appellants

Versus

- Kamleshwar S/o Medara, Aged About 65 Years R/o Village Gangikot, District Surajpur (Chhattisgarh).

---- Respondent

For Appellants	:	Shri K.K.Shrivastava, Advocate
For Respondent	:	Shri Kesha Prasad Gupta, Advocate

Hon'ble the Chief Justice
Hon'ble Shri Justice Sanjay Agrawal, J

Order On Board

Per Justice Thottathil B. Radhakrishnan, C.J.

05/05/2017

Having perused the impugned order dated 29.11.2016, we are of the view that this is a case where a Public Limited Company, that too, in the Public Sector Undertakings, ought not to have filed the appeal. The issue is essential on the application of statutory liability to pay interest, in terms of the provisions of the Gratuity Act. We, therefore, were inclined to dismiss the appeal imposing exemplary costs, which may be credited into the account of High Court Middle Income Group Society (Legal Aid Society). At this stage, learned counsel for the appellants seeks leave to withdraw this appeal and submits that the appellants will abide by the impugned order. We record that submission and dismiss the writ appeal, however, dissuading from ourselves from imposing any costs.

Sd/-

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

(Sanjay Agrawal)
Judge