

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 15130 of 2016

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Abdul Ansari, retired Demi- chef - de - rang, Hotel Patliputra Ashok, P.S. Kotwali,
District- Patna.

.... Petitioner/s

Versus

1. The Union of India through the General Manager, Hotel Patliputra, Ashok, P.S. Kotwali, District- Patna.
2. The President, India Tourism Development Corporation Ltd. Hotel Patliputra, Ashok, Patna (the Unit of I.T.D.C.).
3. The Senior Manager, F & A Hotel Patliputra, Ashok, P.S. Kotwali, District- Patna.
4. The Kitchen Chef, Hotel Patliputra, Ashok, P.S. Kotwali, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Sinha, Advocate
For the I.T.D.C.	:	Mr. Kumar Priya Ranjan and Mr. Niraj Kumar, Advocates

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 02-01-2018

Heard learned counsel for the petitioner and India
Tourism Development Corporation Ltd. (hereinafter referred to as
the 'ITDC').

2. As of now, the grievance of the petitioner is restricted
to whether his gratuity and leave encashment have been properly
calculated on the basis of the admissible scale.



3. Learned counsel for the petitioner submitted that the same has been calculated on a lower scale but because of lack of detailed calculation, he is not able to point out where the error has occurred.

4. Learned counsel for the ITDC submitted that within two weeks, a detailed calculation chart with regard to payment made to the petitioner relating to gratuity and leave encashment shall be provided.

5. In view thereof, the respondent no. 3 is directed to provide a detailed calculation chart of gratuity and leave encashment to the petitioner within two weeks from the date of production of a copy of this order before him. Upon the same being provided to the petitioner, he shall make a detailed representation to the respondent no. 3, within three weeks thereafter pointing out to any error in the calculation. Upon the representation being filed, the respondent no. 3 shall get the matter enquired and pass a reasoned order thereupon within the next three weeks. If it is found that there is error and something more is required to be paid to the petitioner, the same shall be paid to him within two weeks from the date of passing of the order. It goes without saying that if the objection of the petitioner is upheld and it is found that there is an error, the amount required to be paid to the petitioner shall carry interest on the delayed payment of



the difference amount.

6. The writ petition stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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