

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 948 of 2017

N. L. Barber S/o Late Shri B.L.Barber, Aged About 65 Years R/o Vivekanand Nagar Colony, Seepat Road, Mopka, P.S. Sarkanda, District Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. Chhattisgarh State Civil Supplies Corporation Limited Through Its Chairman, Hitwad Bhawan, Avanti Vihar, Telibandha, Raipur, Chhattisgarh
2. The Managing Director, Chhattisgarh State Civil Supplies Corporation Limited, Through Its Chairman, Hitwad Bhawan, Avanti Vihar, Telibandha, Raipur, Chhattisgarh

---- Respondents

Shri Sunil Pillai, counsel for the applicant/s.
Shri N.K.Vyas, counsel for the respondents.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

05/01/2018

Learned counsel for the applicant would submit that while finally disposing off the writ petition, this Court directed that Gratuity should be paid in accordance with the rules.

2. The necessity to move application for modification of the order has arisen because in the absence of specific mention of payment of interest on delayed payment, respondents are not granting interest.

3. Learned counsel for the respondent would submit that this Court had directed payment of Gratuity in accordance with rules. Therefore, the petitioner should not have any apprehension. The observations made by this Court that the Gratuity would be payable in accordance with rules obviously includes payment of all those amounts which are payable under the law. By abundant caution, this Court would refer to Section 7 (3-A) of the Payment of Gratuity Act, 1972 that there is a provision of payment of interest in appropriate contingency.

4. The respondents shall act in accordance with the rules to consider payment of interest also as per rules. In case, any refusal follows in writing, it would be open for the petitioner to seek redressal by a separately constituted petition.

5. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge