

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 26977 of 2003

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the action of the respondents in not paying the gratuity amount to the petitioner for the service rendered by him with effect from 04.09.1975 to 31.08.2003, as illegal and arbitrary. A consequential direction is also sought to the respondents to pay the gratuity amount including terminal benefits with interest as per the provisions of the Gratuity Act to the petitioner.

During pendency of the writ petition, the petitioner died and his legal representative was brought on record as 2nd petitioner vide orders dated 23.02.2016 in WPMP No.2293 of 2014.

Learned counsel for the petitioners submits that appropriate orders may be passed directing the respondents to pay gratuity amount payable to the deceased 1st petitioner to the 2nd petitioner.

Learned standing counsel for the respondents submits that appropriate orders would be passed by considering the case of the petitioners.

Having considered the submissions made by the learned counsel on either side, this Court is of the considered view that the writ petition can be disposed of directing the 2nd petitioner to submit a fresh representation to the respondents seeking release of gratuity amount payable to the deceased 1st petitioner, within two weeks from the date of receipt of a copy of this order, and upon receiving such

representation, the respondents shall consider the same and pass appropriate orders, within four weeks thereafter.

With the above direction, the writ petition is disposed of. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI, J

19th December, 2018
cbs



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Writ Petition No. 26977 of 2003
(disposed of)

19th December, 2018

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