

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT APPEAL NO.451 OF 2018

JUDGMENT: (per SK,J)

This appeal arises out of the order dated 04.01.2018 passed by a learned Judge of this Court in W.P.No.370 of 2018. By the said order, while ordering notice before admission, the learned Judge directed the appellate authority under the Payment of Gratuity Act, 1972 (for short, 'the Act of 1972'), not to allow the fourth respondent-employee to withdraw the amount deposited by the Saptagiri Grameena Bank until further orders. Aggrieved thereby, the fourth respondent-employee is in appeal.

We are now informed that in another case, similar on facts, a learned Judge of this Court permitted release of 50% of the dues but aggrieved thereby, the Saptagiri Grameena Bank preferred W.A.No.91 of 2018. This appeal was disposed of by order 01.02.2018 directing the bank to release 50% of the amount due as determined by the appellate authority under the Act of 1972 subject to the employee furnishing a bank guarantee therefor.

Sri T.Koteswara Rao, learned counsel for the appellant-fourth respondent and Sri E.V.Suresh Kumar, learned counsel representing Smt.V.Uma Devi, learned counsel for the first respondent bank, state that they have no objection to a similar order being passed in the case on hand.

In that view of the matter, the writ appeal is disposed of directing release of 50% of the amount due to the appellant-fourth respondent as determined by the appellate authority under the Payment of Gratuity Act,

1972, pending the disposal of the writ petition, subject to his furnishing a bank guarantee therefor to the satisfaction of the bank.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR,J

M.GANGA RAO,J

Date:19.03.2018

GJ

