

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 4470 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 and other retirement benefits to the petitioner according to V.R.S. along with 18% interest from the date of amount is due.

It has been contended by the petitioner that the respondent company has been liquidated and the liquidator has been appointed and that he may be permitted to claim his relief before the liquidator, by condoning the delay in approaching the liquidator.

Having considered the said submission, this Court is of the view that the petitioner is at liberty to pursue his remedy before the liquidator, in accordance with law.

With the above observation, the writ petition is closed. Since the petitioner was pursuing his remedy in a wrong forum, the period of pendency of the writ petition may not be put against the petitioner for the purpose of limitation.

As a sequel, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No costs.

ABHINAND KUMAR SHAVILI, J

2nd November, 2018
cbs

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Writ Petition No. 4470 of 2003
(closed)

2nd November, 2018

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