

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14919 of 2018**

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The Chairman, Uttar Bihar Gramin Bank and Anr

... .. Petitioner/s

Versus

The Union Of India and Ors

... .. Respondent/s

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**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Petitioner/s | : | Mr.Ajay Kumar Sinha, Advocate |
| For the U.O.I.       | : | Mr. Arvind Kumar Tiwary, CGC  |
| For Respondent No.5  | : | Mr. Mukesh Kumar No.1         |

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      12-07-2019                      Heard the parties.

In this case, the petitioners are challenging the order dated 12.06.2018 passed in File No. 48/11/2017/ALC/PKR by Regional Labour Commissioner (Central) under the Payment of Gratuity Act whereby and whereunder the petitioners have been directed to pay gratuity of Rs.10,00,000/- to the respondent no.5 along with interest @ 10%.

It appears that the petitioners instead of exhausting the remedy of appeal has straightway come to this Court, as such, this Court refused to entertain this application with a direction to the petitioners to exhaust the remedy of appeal in terms of Section 7 (7) of the Payment of Gratuity Act. If the petitioners deposit the amount, which is required, the same will not be disbursed to the private respondent till the decision of the appeal.



If the appeal is filed, the Appellate Authority will complete the process within a period of six months from the date of filing of such appeal.

If the appeal is filed within a period of 45 days from today, in that event, while dealing with the limitation matter, the Appellate Authority would consider the pendency of this case before this Court.

With the aforesaid observations and directions, this writ petition is disposed of.

**(Shivaji Pandey, J)**

V.K.Pandey/-

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