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19.01.2022
Ct. No.10
b.das

W.P.A. 14877 of 2021

(Via Video Conference)

Shivkumari Debi
Vs.
State of W.B. & Ors.

Mr. Uddipan Banerjee ...for the petitioner.

Mr. Susanta Pal ...for the respondent No.2

Ms. Sipra Majumder
Ms. Mitali Mukherjee ...for the State.

Ms. Amrita Pandey
Ms. A. Pandeyfor the respondent No.4.

Heard learned counsels for the parties.

It is submitted on behalf of the 4th respondent that the company/employer is not agreeable to pay compound interest at the rate of 9 per cent per annum on the gratuity amount to the petitioner. Learned counsel further submits that an appeal preferred against the order of the Certificate Officer is pending before the learned District Magistrate and learned Collector/Appellate Authority, District Hooghly.

It appears that admitted amount of gratuity to the tune of Rs.2,05,175.21/- as computed by the Controlling Authority is yet to be paid to the petitioner. There being no dispute with regard to the said amount, the 4th respondent

should pay the said amount to the petitioner within a week from date, failing which the petitioner shall be at liberty to take necessary steps in accordance with law.

The only dispute between the parties is with regard to the rate of interest payable to the petitioner.

As the appeal filed by the 4th respondent is pending before the appellate authority, let there be a direction upon the appellate authority to conclude the said appeal, upon hearing the same on merits, within a period of two months from the date of communication of this order. It is made clear that this court has not gone into the merits of the matter and the parties shall be at liberty to place their respective cases before the Authority at the time of hearing.

With the aforesaid observations and directions, WPA 14877 of 2021 is disposed of. However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)