

14.09.2022.  
Item No.3  
Court No.550  
Saswata

**W.P.A. 14380 of 2022**

**Aloke Kanti Ghosh  
Versus  
Union of India & Ors.**

Mr. Suvadip Bhattacharjee  
Mr. Balaram Patra

... For the petitioner

Mr. Soumak Bera

...For the Union of India

Mr. Sunit Kumar Ray

...For the respondent no.3

In terms of the order dated 7<sup>th</sup> September 2022, the respondent no.3 has brought a cheque amounting to Rs.1,00,000/- (Rupees One lakh only) bearing number **000392** dated 14.09.2022 payable in favour of the petitioner, a photocopy of the same is kept with the record.

The petitioner is present is person today. Photocopy of the aadhar and voter identity card of the petitioner is kept with the record too. The aforesaid cheque is handed over to the petitioner who accepts the same.

Since the respondent no.3 has prayed for payment of the gratuity amount to the tune of Rs.5,55,914/- in installments, I permit the said respondent to make payment of the balance amount in five monthly installments. The first four installments would be for a sum of Rs.1,00,000/- (Rupees One lakh only) while the fifth installment would be for a

sum of Rs.55,914(Rupees Fifty Five Thousand Nine Hundred and Fourteen only).

Since the petitioner who is personally present in Court today has also agreed to accept a lump sum payment of Rs.40,000/- (Rupees Forty Thousand only) towards full and final settlement of his claim for compound interest, let the said amount of Rs.40000/- (Rupees Forty Thousand only) be paid by the respondent no.3 along with the last installment.

As such, I direct the respondent no.3 to make payment of the said sum of Rs.40,000/- (Rupees Forty Thousand only) towards interest along with the last instalment.

The aforesaid payments are being made in full and final settlement of the petitioner's claim on account of gratuity and interest including compound interest be paid.

The petitioner undertakes not to proceed with his claim on account of gratuity before the Assistant Labour Commissioner (Central)-1, Kolkata Controlling Authority under the Payment of Gratuity Act, 1972.

The aforesaid order is being passed in the peculiar facts of the case.

With the aforesaid directions, the writ application being WPA 14380 of 2022 is disposed of.

Urgent photostat certified copy of this order, if applied for be given to the parties on priority basis upon completion of requisite formalities.

**(*Raja Basu Chowdhury, J.*)**