

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11700 of 2021

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The Chairman, Dakshin Bihar Gramin Bank (Erstwhile Bihar Gramin Bank)
Head Office, Sri Vishnu Commercial Complex, Asochak Chowk, New Bypass
Road (N.H- 30), Patna

... .. Petitioner/s

Versus

1. The Union of India through the Ministry of Labour and Employment, New Delhi.
2. The Assistant Labour Commissioner (Central), Patna and Controlling Authority under the payment of Gratuity Act, 1972, Mauryalok Complex, 2nd Floor, A- Block, Room No. 17, Patna.
3. Sri Birendra Kumar Sharma Son of Late Umeshwardhari Sharma R/o- Madhuj Apartment, Flat No. 303, Patel Chowk, Vijay Nagar Rukunpura, Bailey Road, P.S.- Rupaspur, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey, Advocate
For the Respondent/s : Mr.Dr. K.N. Singh (Asg)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-11-2023 1. The present writ petition has been filed seeking the following relief:-

“(i) For issuance of writ/writs, order/orders or direction/directions in the nature of Certiorari for setting aside Decision dated 26-02-2021 passed in File No. 48/1(09)/2019/ALC-PT by Sri Manish Kumar Shankar, Controlling Authority under the payment of Gratuity Act, 1972 and I/c Assistant Labour Commissioner (Central), Patna whereby and whereunder it has been held that applicant is entitled to get the amount of gratuity as applicable for the entire period of his service i.e Rs. 18,42,218/- and further directed to make payment



of interest for the period 01-10-2019 to 05-01-2021 @ 10% only upon the amount of gratuity due i.e Rs. 18,42,218/- totaling Rs. 2,33,179/- thus total amount be paid including interest is Rs. 18,42,218/- + 2,33,179/- i.e Rs. 20,75,397/- within 30 days from the receipt of order. The order dated 26-02-2021 was forwarded to the petitioner vide notice for payment of gratuity dated 5/16.03.2021.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the impugned order dated 26.02.2021, by filing appropriate appeal before the appellate authority. Liberty so sought is granted.
3. The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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