



W.M.P.No.18775 of 2022
in W.P.No.2905 of 2022

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W.P.No.2905 of 2022

N.MALA, J.

This petition has been filed seeking to permit the petitioner herein to withdraw the 50% of the gratuity, which was deposited as per the order passed in W.M.P.No.3042 of 2022 in W.P.No.2905 of 2022, dated 18.02.2022.

2. In W.M.P.No.3042 of 2022 in W.P.No.2905 of 2022 vide order dated 18.02.2022, this Court has passed the following order :

3. In view of the above, prima facie case is made out and there shall be an order of interim stay of operation of the order passed by the first respondent in Gratuity Appeal Case No.37 of 2021 dated 19.10.2021, for a period of eight weeks, on condition that the petitioner shall deposit 50% of the Award Amount, to the credit of Gratuity Appeal Case No.37 of 2021. It is made clear that the third respondent is not permitted to withdraw the above said deposited amount, without getting any orders from this court.

3. In view of the aforesaid order, the petitioner has filed this petition seeking permission to withdraw the 50% of the gratuity, which was deposited



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by the first respondent/Society herein.

N.MALA, J.,

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4. I have gone through the affidavit filed in support of this petition and considering the fact that the petitioner retired from service on 30.04.2017 and his service was non-pensionable service, I am of the view that the petitioner may be permitted to withdraw a sum of Rs.1,00,000/- from the deposited amount of Rs.1,50,000/-.

5. Accordingly, this writ miscellaneous petition is partly allowed and the petitioner is permitted to withdraw a sum of Rs.1,00,000/- (Rupees One Lakh only) from 50% of the gratuity amount already deposited by the first respondent as per order passed by this Court in W.M.P.No.3042 of 2022 in W.P.No.2905 of 2022, dated 18.02.2022, within a period of four weeks from the date of receipt of a copy of this order.

6. Post the main writ petition on **20.03.2024.**

13.02.2024

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