



LPA-2280-2024 (O&M)

1

116

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

LPA-2280-2024 (O&M)

Date of Decision: 19.09.2024

**THE HARYANA STATE FEDERATION CONUSMER COOPERATIVE
WHOLESALE STORES****APPELLANT**

VERSUS

ROHTASH KUMAR AND ANOTHER**RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MS. JUSTICE LAPITA BANERJI**

Present: Mr. Deepak Balyan, Advocate for the appellant.

ANUPINDER SINGH GREWAL, J (ORAL)

CM-5478-2024

This is an application for condonation of delay of 35 days in re-filing the appeal.

For the reasons stated in the application, the same is allowed.
Delay of 35 days in re-filing the appeal is condoned.

CM-5479-2024

This is an application for condonation of delay of 23 days in filing the appeal.

For the reasons stated in the application, the same is allowed.
Delay of 23 days in filing the appeal is condoned.

Main case

Learned counsel for the appellant submits that the impugned judgment is erroneous to the extent that the interest @ 6% per annum has been granted on the delayed payment of gratuity to the respondent(s) and 9% per

**LPA-2280-2024 (O&M)**

2

annum on account of non-payment of gratuity within three months from the date of order.

2. Heard.

3. The Single Bench vide the impugned order dated 08.04.2024 has directed that the gratuity be disbursed along with interest @ 6% per annum on the delayed payment of gratuity from the date of its accrual till its disbursement within three months from the date of order and future interest on account of non-payment of gratuity has been determined @ 9% per annum. Sub-section 3-A of Section 7 of Payment of Gratuity Act, 1972 provides that in the event of delay in payment of gratuity, the rate of interest shall be payable at the rate determined by the Central Government vide notification dated 01.10.1987 and the rate of interest which is currently applicable is @ 10% simple interest per annum.

4. In view of above, we do not find any illegality in the impugned judgment whereby the interest @ 6% per annum has been granted on the delayed payment of gratuity from the date of its accrual till its realization and future interest @ 9% per annum in case of default in payment. Consequently, the appeal stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

(LAPITA BANERJI)
JUDGE

19.09.2024
Prince

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No