

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7186 OF 2024

Dr. Vijaykumar Shivdayal Agrawal	...Petitioner
Versus	
The General Manager, Central Railway & Anr.	...Respondents

Mr. Shivaji A. Masal for petitioner.
Mr. Suresh Kumar for Respondents.

**CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.**

DATE : 3 FEBRUARY 2025

P.C.:

1. We had heard the learned counsel for the parties on this petition. On 24 January 2025, after hearing the learned counsel for the parties, on the amount of interest, which would become payable to the petitioner on the gratuity amount of Rs.10,00,000/-, which was infact paid on 13 June 2018 and for further interest payable to the petitioner. We had accordingly passed the following order :-

“1. Mr. Suresh Kumar, learned counsel appearing for the respondents, on instructions, has fairly stated that, the gratuity amount of Rs.10,00,000/- was paid to the petitioner on 13 June 2018. However, it is not in dispute that the interest on such amount payable to the petitioner from the date of his superannuation which has taken place in May, 2011 till the amount is received by the petitioner on 13 June 2018, has become due and payable. In our opinion, the interest on delayed payment of gratuity would be required to be paid to the petitioner, not only as on 13 June 2018 being the date of receipt of the gratuity amount, but also interest for the period on the accrued interest amount till receipt of the interest amount.

2. Let calculations in that regard be prepared an estimating date of payment to 28 February 2025. Interest calculations accordingly be done and placed on record of this Court.
3. We accordingly adjourn the proceedings to 31 January 2025 (H.O.B)."

2. In pursuance of the of the aforesaid order, Mr. Suresh Kumar, learned counsel for the Respondent-Central Railway, has placed on record the interest calculation arrived at by Mr. Pradeep Kumar, ADFM/II/BB dated 30 January 2025, which sets out the calculations of interest on the principal interest amount of Rs.5,05,961/- to be at Rs.2,45,138/-. These calculations are for the different periods from 13 June 2018 to 31 January 2025 as set out. The same is taken record and marked 'X' for identification.

3. According to such calculation, the total amount payable to the petitioner upto 31 January 2025, is be Rs.7,51,099/-, being now paid to the petitioner. Let this amount be paid to the petitioner within a period of four weeks from today. We request the concerned Authority to take forward approval/sanction to such payment at the earliest, so that the payment is not further delayed.

4. Petition stand disposed in the aforesaid terms.

5. We appreciate the fairness of the Respondent as also the fair assistance of Mr. Suresh Kumar, in disposing of the present petition.

6. No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]

Rajesh Chittewan, PA

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