

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No.13671 of 1993

with

CIVIL APPLICATION No.3562 of 1998

**

For Approval and Signature:

Hon'ble MR.JUSTICE R.A.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

1 to 5 : NO

ISHRAT NAAZ WIDOW OF KAMRUDDIN NAZMUDDIN VAZIFDAR

Versus

DY EXECUTIVE ENGINEER

Appearance:

MR BR PARIKH for Petitioner

NOTICE SERVED for Respondent No. 1, 3, 4, 5, 6

Ms.S.D. Talati, ASSTT GOVERNMENT PLEADER for
respondent No. 2

CORAM : MR.JUSTICE R.A.MEHTA

Date of decision: 30/04/98

COMMON ORAL JUDGEMENT :

Ms.S.D. Talati, learned Assistant Government
Pleader, on instructions from Shri Anil Patel, Under
Secretary to the Government, Narmada and Water Resources

Department, states that payment of family pension with interest will be made to the petitioner within two weeks from today, as per the calculation filed in the Court yesterday, the 29th April 1998.

2. Relying on the petitioner's statement that no gratuity is paid, it is further stated that the gratuity will be paid. However, that will be subject to audit and verification. As regards the gratuity it is stated that the calculation will be given to the learned advocate for the petitioner latest by Monday, the 4th May 1998 and the payment will be made within three weeks from today.

3. In view of this solemn assurance to the Court, this petition is allowed and rule is made absolute by directing the respondents to act according to their assurance, namely,

(i) pay to the petitioner a sum of Rs.4,53,836-05 towards family pension and interest within two weeks from today, and

(ii) furnish details of gratuity and interest by 4th May 1998 and make payment of gratuity with interest at the rate of 9 per cent per annum from its due date till payment within three weeks from today.

4. In view of the above directions no orders on Civil Application No.3562 of 1998. Disposed of. Officers of respondents nos.7 and 8 in Civil Application are present in the Court, who shall ensure compliance of the above directions.

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