

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPSS No.1355 of 2021 <u>Hon'ble Sharad Kumar Sharma, J.</u></p> <p>Mr. Bhuwan Bhatt, Advocate for the petitioner.</p> <p>Mr. Narayan Dutt, Brief Holder for the State of Uttarakhand.</p> <p>Mr. Bhupendra Singh Bisht, Advocate for respondent no.2.</p> <p>With the consent of the counsel for the parties this matter is taken up finally.</p> <p>I.A. no.02 of 2021 filed by respondent no.2 alongwith counter affidavit would stand allowed. Counter affidavit is taken on record.</p> <p>The petitioner in the present writ petition has contended, that she is the widow of the deceased employee, who had met with the sad demise on 10.12.2018, in an accident and hence she has prayed for a writ of mandamus, for the release of gratuity amount to the petitioner, which was otherwise payable to her late husband to the tune of Rs. 13,30,890/- with an admissible statutory interest as contemplated under Section 7(3A) of the Payment of Gratuity Act.</p> <p>Further, a writ of mandamus has been sought, by the petitioner for the payment of arrears with the family pension with effect from January 2019 to January 2021. If the claim of the petitioner, is taken into consideration, based on the pleading and the averments made in the counter affidavit are considered in fact, in view of the pleadings raised in para 3, the respondents had in principle admitted the claim payable to the petitioner, which has been sought to be pressed by her in the present writ petition and accordingly a reference has also been made to the order passed by the Secretary, Urban Development Department on 30.07.2020; with regards to the payment of the arrears of gratuity and pension arrears for those employees, who have been made permanent between 1987 to March 2000.</p>

			<p>The counsel for the petitioner submits that the matter would stand squarely covered by the judgment rendered by this Court on 20.05.2021 in Writ Petition (S/S) No.564 of 2021; wherein the writ petition was disposed of directing the respondents to remit the entire amount claimed by the petitioner. This fact that the matter stands covered by the said judgment of 20.05.2021, is a fact which is not denied by the counsel for the respondents.</p> <p>Hence, this writ petition too would stand disposed of in the light of the said direction given by the judgment of 20.05.2021 with a direction to the respondent to remit the amount of gratuity and the interest and the arrears of family pension to the petitioner within a period of two months from the date of receipt of the certified copy of this judgment.</p> <p>Subject to the above observations, the writ petition stands disposed of.</p> <p style="text-align: right;">(Sharad Kumar Sharma, J.) 30.11.2021</p> <p>Arti</p>
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