

Court No. - 32

Case :- WRIT - C No. - 55860 of 2015

Petitioner :- The General Manager Food Corporation Of India
And Another

Respondent :- Appellate Tribunal Under The Payment Of G.
Act And 2 Others

Counsel for Petitioner :- Mansoor Ahmad

Counsel for Respondent :- C.S.C.,Ashok Kumar Srivastava

Hon'ble Rohit Ranjan Agarwal,J.

Heard Sri Mansoor Ahmad, learned counsel for the petitioners and Sri Ashok Kumar Srivastava, learned counsel appearing for respondent no.3.

This writ petition was filed for the quashing of the judgment and order dated 29.05.2015 passed by respondent no.1 i.e. Appellate Tribunal under the Payment of Gratuity Act, 1972.

The dispute was with regard to the payment of gratuity payable to the contesting respondent no.3.

Vide order dated 30.09.2015, this Court had directed that the effect and operation of the order dated 29.05.2015 shall remain stayed provided the petitioner deposits the decretal amount along with interest before second respondent i.e. Controlling Authority under the Payment of Gratuity Act, 1972. It was further directed that the decretal amount be kept in a Fixed Deposit (F.D.) of a nationalised bank earning maximum interest.

Learned counsel for the petitioners, Sri Mansoor Ahmad submitted that an affidavit of compliance of this Court's order dated 12.12.2019 was filed on 08.01.2020, wherein the Deputy General Manager (Personnel), Food Corporation of India (F.C.I.) had apprised the Divisional Manager, Food Corporation

of India for releasing gratuity amount in favour of respondent no.3. Such correspondence has been brought on record as Annexure-1 to the affidavit.

The factual averment has also been made in Paragraphs-5 and 6 of the said affidavit in regard to release of money in favour of respondent no.3.

Having heard learned counsel for the parties and from the perusal of material on record, I find that once the Officer of the Food Corporation of India had taken a decision for releasing of the gratuity amount as held payable by the respondent no.1, this Court directs the respondent no.2 to immediately release the amount awarded in favour of the petitioners vide judgment and order dated 29.05.2015.

Interim order, granted earlier by this Court on 30.09.2015, stands vacated.

With the aforesaid observation, writ petition stands *disposed of*.

Order Date :- 30.9.2021

SK Goswami