

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 307 of 2021

Date of Order: 28.07.2022

Shri. Celestine Nongspung

Vs. State of Meghalaya & Ors.

Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge.

Appearance:

For the Petitioner/Appellant(s) : Ms. L.Phanjom, Adv. vice
Mr. N.Syngkon, Adv.

For the Respondent(s) : Mr. H.Abraham, GA for R 1-4.
Mr. K.Kharmawphlang, Adv. for R 5.

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- i) Whether approved for reporting in Law journals etc: Yes/No
- ii) Whether approved for publication in press: Yes/No

ORAL

1. The petitioner herein who has served in the Food & Civil Supplies & Consumer Affairs Department and retired as Joint Director on 28-02-2014, by way of the instant writ application has prayed for release of his terminal benefits, such as, gratuity, pension etc., as admissible.

2. The delay in release of the said terminal benefits as per the respondents was that the service book of the petitioner had to be reconstructed which took

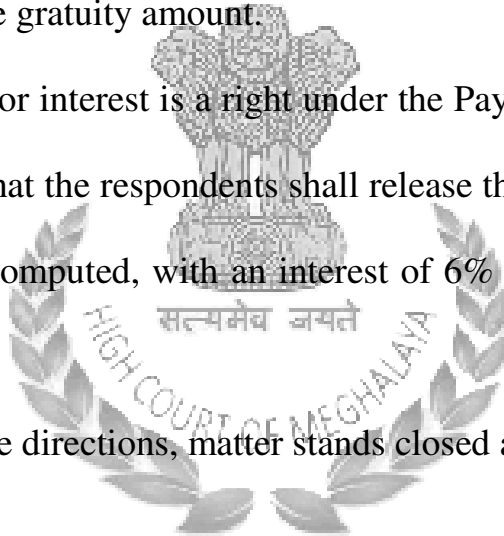
considerable time. After reconstruction of the service book, though it had been submitted to respondent No. 5, certain objections had been raised which required the resubmission of the service records of the petitioner.

3. Thereafter, the pension and other benefits of the petitioner was accordingly released. It is submitted by the respondents that the delay was caused due to unavoidable circumstances.

4. As the benefits has since been released, the only question before this Court is for the consideration of grant of interest on the delayed payments, most specifically, the gratuity amount.

5. As the claim for interest is a right under the Payment of Gratuity Act, 1972, it is directed that the respondents shall release the gratuity amount not released earlier, as computed, with an interest of 6% thereon from the date the same was due.

6. With the above directions, matter stands closed and disposed of.



Judge

Meghalaya
28.07.2022
"Samantha PS"