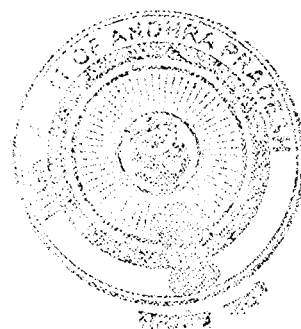


IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

WEDNESDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA



IA No. 2 OF 2021

IN

WP NO: 29571 OF 2021

Between:

Andhra Pragati Grameena Bank (APGB), Rep. by its Chairman/Authorized Signatory,
Sponsored by Syndicate Bank Beside, Mariyapuram Church, Mariyapuram, Kadapa,
Y.S.R Kadapa District (A P) 51600

...Petitioner

(Petitioner in WP 29571 OF 2021
on the file of High Court)

AND

1. Before the Appellate Authority, under the payment of Gratuity Act.1972 & I/C, Dy. Chief Labour Commissioner, (DCLC), (Central), at ATI Campus, Vidyanagar, Hyderabad -007
2. Before the Controlling Authority, under the payment of Gratuity Act.1972 & Asst. Labour Commissioner, (ALC), (Central), Ministry of Labour and Employment, Office of the DCLC, (Central), at ATI Campus, Vidyanagar, Hyderabad -007
3. The Union of India, rep. by its Under Secretary, Ministry of Labour and Employment Department, Sastry Bhavan, New Delhi
4. Vallapudas Jaya Kiran Kumar, D.No.3-80-2, Rythupeta down, Nandigama Krishan District -521185

...Respondent(s)

(Respondents in-do-)

Counsel for the Petitioner: Ms.V.UMA DEVI**Counsel for the Respondent Nos.1 to 3: Sri.Harinath N (Asst Solicitor General)****Counsel for the Respondent No.4: SRI.G.V.L.MURTHY**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the order passed in Gratuity Appeal No. 36/251/2020-E1/DY, dt.06-10-2021, passed by the 1st respondent herein in the order passed in Payment of Claim Application No. 48/59/2018-E2, dt.16-12-2019, by the 2nd respondent herein, pending disposal of the Writ Petition No.29571 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following

ORDER:

Heard learned counsel for the petitioner and Mr. G.V.L.Murthy, learned counsel for the contesting un-official respondent.

In view of the submission made that in similar matters, interim orders were granted vide order dated 29.10.2021 in W.P.No.25000 of 2021, there shall be an interim stay of the operation of the orders passed by the appellate authority under the Payment of Gratuity Act and the Chief Commissioner, Labour in this

case on the condition that the respondent-workman shall be entitled to withdraw 50% of the amount that is already deposited and is mentioned in the orders of appellate authority in the annexure. The respondent shall be permitted to withdraw 50% on furnishing bank guarantee to the satisfaction of the appellate authority within a period of four (4) weeks from the date of receipt of a copy of this order. The respondent-workman, who wishes to withdraw money should also ensure that the bank guarantee is extended till the issue is finally disposed of by this Court.

Sd/-M.Suryanadha Reddy
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Dy. Chief Labour Commissioner, (DCLC), (Central), at ATI Campus, Vidyanagar, Hyderabad -007
2. The Asst. Labour Commissioner, (ALC), (Central), Ministry of Labour and Employment, Office of the DCLC, (Central), at ATI Campus, Vidyanagar, Hyderabad -007
3. The Under Secretary, Ministry of Labour and Employment Department, Union of India, Sastry Bhavan, New Delhi
4. Vallapudas Jaya Kiran Kumar, D.No.3-80-2, Rythupeta down, Nandigama Krishan District -521185 (1 to 4 By RPAD)
5. One CC to MS.V.UMA DEVI Advocate [OPUC]
6. One CC to Sri.G.V.L.Murthy, Advocate (OPUC)
7. One CC to SRI.HARINATH N (Asst Solicitor General) [OPUC]
8. One spare copy

SRL

HIGH COURT

NJSJ

DATED:15/12/2021

ORDER

I.A.NO.2 OF 2021

IN

WP.No.29571 of 2021

INTERIM STAY

