

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
MONDAY, THE TWENTY FOURTH DAY OF JANUARY TWO THOUSAND AND
TWENTY TWO**

**:PRESENT:
THE HONOURABLE SRI JUSTICE T.VINOD KUMAR**

**IA No. 2 OF 2022
IN
WP NO: 2844 OF 2022**

Between:

State Bank of India (SBI), Rep. by its Asst. General Manager (PPF a G) Pension,
Provident Fund and Gratuity Dept., Local Head Office at Koti, Hyderabad

...Petitioner(s)

(Petitioner in WP- 2844 OF 2022
on the file of High Court)

AND

1. Before the Appellate Authority, under the Payment of Gratuity Act.1972 a Dy. Chief Labour Commissioner (DCLC) (Central), I/C, Hyd, Office at ATI Campus, Shivam Road, Vidyanagar, Hyderabad -007
2. Before the Controlling Authority, under Payment of Gratuity Act.1972 a Asst. Labour Commissioner (Central) (ALC), O/o. Dy. CLC(C), Hyderabad, O/o at ATI Campus, Shivam Road, Vidyanagar, Hyderabad -007
3. The Union of India, rep. by its Under Secretary, Ministry of Labour and Employment department, Sastry Bhavan, New Delhi
4. Vanam Krishna, S/o. V Satyanarayana, Rep by his Nominee Vanam Rukmini Aged about 79 years, Occ- retired officer, R/o H.No.11-13-733, Flat No. 204, Srinivasa Apartments, Greenhills Colony, Road No 3, LB Nagar Saroornagar, Hyderabad- 035.

...Respondent(s)

(Respondents in-do-)

Counsel for the Petitioner : M/s. PEARL LAW ASSOCIATES

**Counsel for the Respondent No. 1 to 3: SRI NAMAVARAPU RAJESHWAR
RAO(ASSGI)**

Counsel for the Respondent No.4: SRI G. SAI PRASEN

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 by the 1st respondent Appellate Authority in (Gratuity Appeal) Vide Common order in DLC APPEAL No. 36 (36 & 36 (1) to 36 (46)/2020-EI/DY, (GA) No. 36/36(8)/2020-EI/DY, (SI No.8), dt.26.10.2021, by reversing the order passed by the 2nd respondent/Controlling Authority in Payment of Claim Application (PGA) No.48/156/2019, (Si No.8), dt. 02-12-2019, preferred by R-4 herein Pending disposal of WP No. 2844 of 2022, 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).

ORDER

Heard learned Counsel for the petitioner and perused the record.

There shall be interim suspension of the order dated 26.10.2021 passed by the 1st respondent – appellate authority, subject to condition of the petitioner depositing 50% of the amount as adjudicated by the 1st respondent and the respondent – workman is permitted to withdraw the

same by furnishing bank guarantee to the satisfaction of the 1st respondent.

SD/- K.AMMAJI
ASSISTANT REGISTRAR

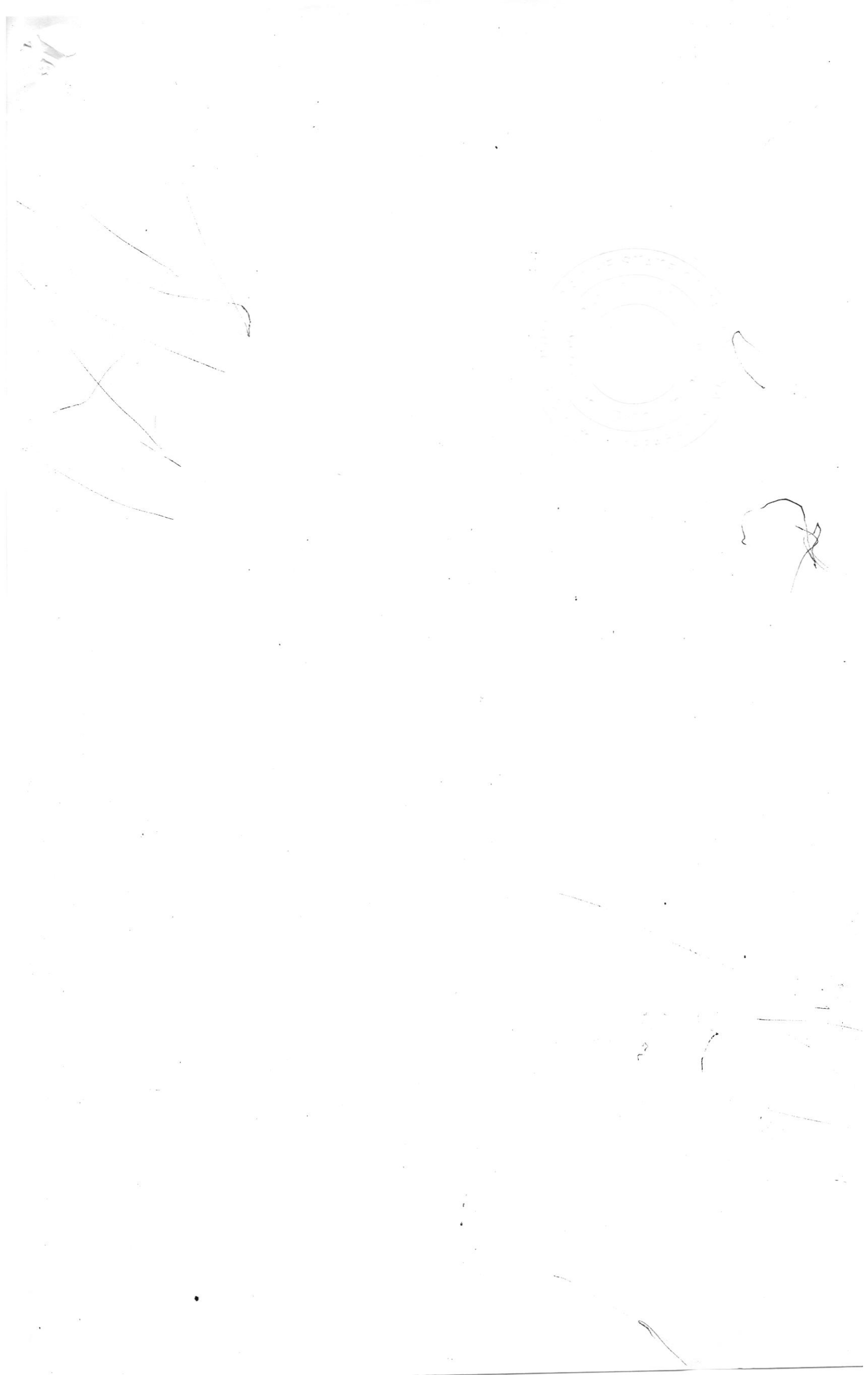
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SECTION OFFICER

To,

1. Before the Appellate Authority, Under the Payment of Gratuity Act.1972 and Dy. Chief Labour Commissioner (DCLC) (Central), I/C, Hyderabad, Office at ATI Campus, Shivam Road, Vidyanagar, Hyderabad -007(By RPAD)
2. Before the Controlling Authority, Under Payment of Gratuity Act.1972 and Asst. Labour Commissioner (Central) (ALC), O/o. Dy. CLC(C), Hyderabad, O/o at ATI Campus, Shivam Road, Vidyanagar, Hyderabad -007(By RPAD)
3. The Under Secretary Union of India, Ministry of Labour and Employment department, Sastry Bhavan, New Delhi(By RPAD)
4. K Lakshmi Manorama, Aged about 67 years, Occ. retired officer R/o 1-2-234/12/12/C, Aravind Nagar, Domalaguda Hyderabad-500029(By RPAD)
5. One CC to SRI. PEARL LAW ASSOCIATES Advocate [OPUC]
6. One CC to SRI. NAMAVARAPU RAJESHWAR RAO(ASSGI) Advocate [OPUC]
7. One spare copy

Avs



HIGH COURT

TVKJ

DATED:24/01/2022

ORDER

I.A. NO. 2 OF 2022

IN

WP.No. 2844 of 2022



DIRECTION