

[3166]

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY ,THE SECOND DAY OF MARCH TWO THOUSAND AND TWENTY
TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

IA No. 2 OF 2022

IN

WP NO: 10751 OF 2022

Between:

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

...Petitioner

(Petitioner in WP 10751 OF 2022
on the file of High Court)

AND

1. Before the Appellate Authority, under the Payment of Gratuity Act.1972 & Dy.
Chief Labour Commissioner (DCLC) (Central),I/C, Hyderabad, Office at ATI
Campus, Shivam Road, Vidyanagar, Hyderabad -007
2. Before the Controlling Authority, under Payment of Gratuity Act.1972 & 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. K Kameshwara Rao, S/o Late K Vishwanatham, Aged about 78 years,
Occ.Retired Officer, R/o Plot No. 14, H.No. 3-6-298, SBH Colony venture-I,
Near Padma Sri Complex Lane, LB Nagar, Saroor Nagar, Hyderabad- 500074
(R-3 IS A PROFORMA PARTY, HENCE, NOT NECESSARY TO THIS WPMP)

...Respondents

(Respondents in-do-)

Counsel for the Petitioner

:M/S PEARL LAW ASSOCIATES

Counsel for the Respondents 1 to 3

:SRI NAMAVARAPU RAJESHWAR RAO
(ASSGI)

Counsel for the Respondent 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. Vide Common order in DLC APPEAL No. 36/34 & 34 (1) to 34 (27)/2020, (GA) No. 36/33(12)/2020-E1/DY, (SI No.13) dt.26.10.2021, by reversing the order passed by the 2nd respondent/Controlling Authority in Payment of Claim Application (PGA) No.48/60/2019, (SI No.13), dt. 20/11/2019, preferred by R-4 herein, pending disposal of the WP No. 10751 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/- T.KRISHNA KUMAR
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Appellate Authority, under the Payment of Gratuity Act.1972 & Dy. Chief Labour Commissioner (DCLC) (Central),I/C, Hyderabad, Office at ATI Campus, Shivam Road, Vidyanagar, Hyderabad -007
2. 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. K Kameshwara Rao, S/o Late K Vishwanatham, Aged about 78 years, Occ.Retired Officer, R/o Plot No. 14, H.No. 3-6-298, SBH Colony venture-I, Near Padma Sri Complex Lane, LB Nagar, Saroor Nagar, Hyderabad-500074(1 TO 3 By RPAD)
4. One CC to M/S PEARL LAW ASSOCIATES Advocate [OPUC]
5. One spare copy

HIGH COURT

TVKJ

DATED:02/03/2022

ORDER

IA.NO.2 OF 2022

IN

WP.No.10751 OF 2022

INTERIM SUSPENSION

