

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (L) No. 572 of 2016

Central Bank of India through its Branch Manager
Sri Praveen Kumar, Nathnagar, Bhagalpur --- --- ---- Petitioner
Versus

1. Sri Dinanath Tiwary
2. Controlling Authority under Payment of
Gratuity Act, 1972 & Assistant Labour
Commissioner (Central), Pakur --- --- --- Respondents

with
W.P. (L) No. 6535 of 2012

Central Bank of India through its Asst. Manager
Mr. Subir Kumar Ghosh, Regional Office, Gaya--- --- ---- Petitioner
Versus

1. Union of India through the Secretary, Ministry of
Labour and Employment, New Delhi
2. Sri Dinanath Tiwary --- --- --- Respondents

CORAM: The Hon'ble Mr. Justice Aparesh Kumar Singh

For the Petitioner: Mrs. A.R. Choudhary, Advocate

For the Respondents: M/s Prabhash Kumar, D.K. Maltiyar, Advocates

05/ 11.08.2016 These applications shall be heard.

2. Respondent Workman has already appeared and filed his counter affidavit.
3. Rule is made returnable within six months.
4. If the petitioner Bank pays 50% of the back wages and 50% of the Gratuity amount to the workman in question, no coercive steps shall be taken for execution of the Award dated 20.07.2012 passed in Reference No. 35/2007 by the Presiding Officer, Central Government Industrial Tribunal No. 1, Dhanbad, during pendency of the writ application.

I.A. No. 3250/2012

4. In view of the aforesaid order, this interlocutory application seeking stay of the impugned Award is disposed of.

I.A. No. 6344/2015

5. Through the instant I.A., A prayer is made to delete the name of Union of India from the array of the Respondents. Permission is granted. Counsel for the petitioner would carry out necessary correction in the cause title of the main writ application. The instant I.A. stands disposed of accordingly.

I.A. No. 6356/2015

2.

6. This I.A. seeking early hearing of the writ application stands disposed of in view of the aforesaid order.

W.P.(L) No. 572/2016

7. Counsel for the Respondent Workman is allowed four weeks time to file counter affidavit. In view of the interim order passed today in WPL No. 6335/2012 herein-above, the order of the Controlling Authority under the Payment of Gratuity Act, 1972 and Assistant Labour Commissioner (Central), Pakur dated 10.09.2015, impugned herein, shall remain stayed.

(Aparesh Kumar Singh, J)

Ranjeet/