



2026:AHC-LKO:40457

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - A No. - 5458 of 2026

Mangra Devi

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Krishi Vipran
Videsh Vyapar Anubhag 1 Lko. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Akhilesh Pratap Singh, Kushagra Kanodia
Counsel for Respondent(s)	: C.S.C., Surendra Kumar Singh

Court No. - 15

HON'BLE BRIJ RAJ SINGH, J.

1. Vakalatnama filed today by Sri Syed Shabab Haider Zaidi, Advocate, for respondent/opposite parties no. 2 & 3 is taken on record.

2. Heard learned counsel for the petitioner, learned Standing Counsel for respondent no. 1 and Shri Syed Shabab Haider Zaidi, learned counsel for respondent/ opposite party nos. 2 and 3.

3. By means of this petition, the petitioner has prayed the following relief :-

" It is therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to:-

(i) Issue a writ, order, or direction in the nature of Mandamus, commanding the Respondents, particularly Respondent No.2, to forthwith re-compute and release to the Petitioner the full and correct amount of gratuity, strictly in accordance with the provisions of the Payment of Gratuity Act, 1972, and in light of the judgment of the Hon'ble High Court of Judicature at Allahabad in Writ No. 24841 of 2016 (Krishi Utpadan Mandi Samiti & Others v. State of U.P. & Others), by duly reckoning the Petitioner's entire period of continuous service from the date of his initial appointment until the date of superannuation.

*(ii) Issue a further writ, order or direction in the nature of Mandamus, commanding the Respondents to pay to the Petitioner statutory interest on the wrongfully withheld/delayed gratuity strictly in accordance with 7(3A) of the Payment of Gratuity Act, 1972, In the light of the judgment passed by this Hon'ble Court in **Writ-A No. 541 of 2026 (Rakesh Chandra Pathak v. State of U.P. & Others)**, decided on 21.01.2026."*

4. Learned counsel for the petitioner has submitted that the petitioner is ready to prefer a fresh representation to the Competent Authority, therefore, he may be permitted to prefer a fresh representation to the opposite party No.2, i.e., Director, Rajya Krishi Utpadan Mandi Prishad, U.P. at Kisan Mandi Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow and a direction may be issued to him to consider and decide the said representation of the petitioner expeditiously.

5. Learned Standing Counsel has no objection if direction for disposal of the said representation is issued.

6. Therefore, in view of the above, without entering into merits of the issue, I hereby **dispose of** this petition finally at the admission stage giving liberty to the petitioner to prefer a fresh representation to the opposite party No.2, i.e., Director, Rajya Krishi Utpadan Mandi Prishad, U.P. at Kisan Mandi Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow ventilating her grievance taking all pleas and grounds which are available with her enclosing therewith the copy of her earlier representation, if any, which are necessary for disposal of the representation within a period of fifteen days from today and if such representation is preferred by the petitioner within the aforesaid stipulated time, the authority concerned shall consider and dispose of the same strictly, by speaking and reasoned order in accordance with law after affording an opportunity of hearing to the petitioner, if it is so required, with expedition preferably, within a period of two months from the date of receipt of certified copy of this order and the decision thereof shall be intimated to the petitioner forthwith.

7. It is need less to say that if there is no legal impediment, the payment of

gratuity would be paid to the petitioner within the aforesaid stipulated time, failing which the petitioner would be entitled for the interest on the delayed payment. However, if there is delay in making payment of gratuity, the claim of the petitioner for interest may also be considered in the light of statutory prescriptions.

(Brij Raj Singh,J.)

June 8, 2026

Renu/-