



2026:AHC-LKO:22946

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - A No. - 3267 of 2026

Raj Pal Singh

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Krishi Vipran And
Videsh Vyapar Anubhag 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. - 17

HON'BLE RAJEEV SINGH, J.

1. Heard learned counsel for the petitioner, Shri Saharsh Srivastava, learned Additional Chief Standing Counsel for the respondent/ opposite party no. 1 and Shri Surendra Kumar Singh, learned counsel for respondent/ opposite party nos. 2 and 3.

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

"i. Issue a writ, order or direction in the nature of Mandamus, commanding the Respondents, in particular Respondent No. 2, to forthwith re-compute and release to the Petitioner the full and correct amount of gratuity strictly in terms of the Payment of Gratuity Act, 1972, by duly taking into account his entire period of continuous service commencing from the date of his initial appointment up to the date of superannuation; in the light of the judgment of this Hon'ble Court rendered in Krishi Utpadan Mandi Samiti vs State of U.P. and Others, Writ Petition No. 24841 (SS) of 2016, decided on 19.07.2016, wherein it has been categorically held that the employees of the Mandi Samiti are entitled to gratuity under Payment of Gratuity Act, 1972.

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 Section 7(3A) of the Act, i.e., from the date on which the gratuity became due and payable until the date of its actual realization."

3. 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 with expeditiously at earliest.

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

5. 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 his grievance taking all pleas and grounds which are available with him enclosing therewith the copy of his 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.

6. 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.

(Rajeev Singh,J.)

March 31, 2026

GauraV/-