

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-11400-2015 (O&M)
Date of decision : 28.05.2015

Joginder Pal Singh and others

...Petitioners

Versus

State of Punjab and othes

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. P.K. Goklaney, Advocate for the petitioners.

JITENDRA CHAUHAN, J.

Prayer in the present petition filed under Articles 226/227 of the Constitution of India, is for issuance of a direction to the respondents to release the gratuity to the petitioner in accordance with the provisions of the Payment of Gratuity Act, 1972, along with interest.

It is contended that the case of the petitioner is squarely covered by the ratio of law laid down in ***Municipal Council, Pathankot Vs. Appellate Authority under the Payment of Gratuity Act and others***, rendered in CWP No.15423 of 2008, (Annexure P-2), ***Krishan Lal Aggarwal and others Vs. State of Punjab and others***, rendered in CWP No.6905 of 2006 (Annexure P-3) and ***Municipal Council Pathankot Vs. Nathuram Gupta and others***, rendered in SLP No.11436 of 2009 (Annexure P-4). It is further submitted that for the redressal of their grievance, the petitioners have served legal notice,

Annexure P-5, however, the same has not been decided so far.

Keeping in view the prayer made in the petition, without advertng to the merits of the case, at this stage, the present petition is disposed of with a direction to the competent authority, to decide the legal notice, Annexure P-5, by examining the case of the petitioners as to whether the same is covered by the ratio of law laid down in Annexures P-2, P-3 and P-4, within a period of four months from the date of receipt of a certified copy of this order and if the answer is in affirmative, the consequential benefits be released to the petitioner within a period of two months thereafter.

Disposed of.

28.05.2015

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(JITENDRA CHAUHAN)
JUDGE