

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

(I) CWP-882-2011 (O&M)
Date of decision : 15.07.2015

Charanjit Singh Gill and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(II) CWP-21175-2011 (O&M)
Date of decision : 15.07.2015

Vinod Kumar and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(III) CWP-3451-2012 (O&M)
Date of decision : 15.07.2015

Dhanwant Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(IV) CWP-8504-2013 (O&M)
Date of decision : 15.07.2015

Gurdev Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(V) CWP-6474-2014 (O&M)
Date of decision : 15.07.2015

Puran Singh Sandhu

...Petitioner

Versus

State of Punjab and others

...Respondents

(VI) CWP-7629-2014 (O&M)
Date of decision : 15.07.2015

Sukhjinder Singh Kler

...Petitioner

Versus

State of Punjab and others

...Respondents

(VII) CWP-5805-2014 (O&M)
Date of decision : 15.07.2015

Vijay Kumar and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Jai Vir Yadav, Advocate for the petitioners,
in CWP Nos.882 & 21175 of 2011

Mr. Varinder Kumar Shukla, Advocate for the petitioners,
in CWP Nos.6474 & 7629 of 2014 and 8504 of 2013

Mr. Kulbir Sekhon, Advocate for the petitioners,
in CWP Nos.3451 of 2012 and 5805 of 2014

JITENDRA CHAUHAN, J.

The above noticed seven writ petitions are being disposed of by this single order of mine, as common questions of law and facts are involved therein.

The petitioners, in these writ petitions, have sought issuance of a direction to the respondents to grant them gratuity at par with the Punjab Government Employees as enhanced with effect from 01.01.2006, in terms of the policy decision of the Punjab Government, circulated vide letter dated 26.05.2010 (Annexure P-4).

It is asserted that the petitioner Nos.19 to 22 in CWP No.882 of 2011 and all the petitioners in CWP No.21175 of 2011 are entitled to the benefit prayed for as they form a distinct cadre i.e. common cadre, being covered by the judgment passed by the LPA Bench in LPA No.858 of 2010, ***Punjab State Co-operative Bank Vs. Amrik Singh Walia and another***, decided on 28.02.2013. Similar would be the claim of common cadre employees in the other connected writ petitions.

In the circumstances, the respondents are directed to consider the assertion of the petitioners belonging to the common cadre and decide as to whether the case of the petitioners is covered by the judgment rendered in Amrik Singh Walis's case (supra) within six weeks from the date of receipt of a certified copy of this order. In case, the competent authority, on consideration, reaches to the conclusion that the case is covered by the decision of the LPA Bench, the

consequential benefits be released to the petitioners within eight weeks thereafter. In case, the competent authority reaches to the conclusion that the case of the petitioners is not covered then in that eventuality, a speaking and reasoned order be passed by treating their respective petitions as representations.

As regards the petitioners belonging to the non common cadre, the learned counsel for the petitioners seek to withdraw the petitions qua them with liberty to avail the alternate remedy available to them under the Act.

Dismissed as withdrawn with liberty aforesaid.

In case, the petitioners approach the competent authority within four weeks from the date of receipt of a certified copy of this order, the question of limitation, if any, be not pressed against the petitioners, as the petitioners in a bona fide manner, had been pursuing this remedy before this Court.

15.07.2015

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(JITENDRA CHAUHAN)
JUDGE