

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 1251 of 2016
Date of decision: 21.01.2016

Santokh Singh and others

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Ms. Riti Aggarwal, Advocate,
for the petitioners.

G.S.SANDHAWALIA, J. (Oral)

The petitioners, who are ex-employees of various Municipal Councils and also legal representatives of deceased employees, are seeking the benefit of the revised gratuity as per the provisions of The Payment of Gratuity Act, 1972 alongwith arrears plus interest from the due date. Details of the same are mentioned in the Memo of Parties and in Annexure P-1, wherein, their dates of appointment and dates of retirement have been given. Reliance has been placed by the counsel upon a Division Bench judgment of this Court in ***CWP No. 15423 of 2008, Municipal Council, Bathinda vs. Appellate Authority*** decided on 22.09.2008 (Annexure P-2), which has been upheld by the Apex Court and the review applications have been dismissed.

It is submitted that the petitioners have filed a legal notice dated 03.10.2015 (Annexure P-5) with the respondents wherein, the demand has been raised for the said relief and decision on the same is pending and she would be satisfied if a time bound direction is issued to the respondents to decide the same. Reference is also made to an order passed by

respondent no. 2 on 27.08.2015 (Annexure P-7) wherein, these facts were noticed and directions were issued that payment be made to other similarly situated persons.

Notice of motion.

Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of the respondent. Copy of the writ petition has been supplied to him in Court.

Keeping in view the limited relief sought, this Court is of the opinion that there is no need for the respondents to file reply.

Accordingly, without commenting on the merits of the case, this writ petition is disposed of with a direction to respondent no. 2 to issue necessary directions to the concerned Municipal Councils to process the cases of the petitioners, whose details have been given in the Memo of Parties and the list (Annexure P-1) and pass necessary orders in respect of each of the persons separately after giving due notice to them. The said exercise be completed within a period of 4 months from the date of receipt of certified copy of the order. In case the said Municipal Councils find that the amounts are due as per the judgment of the Division Bench, the same be paid within a period of 2 months thereafter alongwith interest element as provided under the relevant provisions of the Payment of Gratuity Act, 1972.

21.01.2016
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(G.S. SANDHAWALIA)
JUDGE