

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

**Date of decision: 12.08.2016**

**CWP No.16378 of 2016**

Subhash Chander & another

...Petitioners

Vs.

State of Punjab & others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

Present: Mr. Gagneshwar Walia, Advocate, for the petitioners.

**RAJIV NARAIN RAINA, J. (ORAL)**

The petitioners placed reliance on the order passed in CWP No.2261 of 2016 titled 'Malkit Singh & others Vs. State of Punjab & others' on 04.02.2016, which reads as follows:

*“The petitioners, who are 12 in number, are ex employees of respondent no.3-Municipal Council, Zira, District Ferozepur and are seeking the benefit of the revised gratuity. Their details and particulars have been mentioned in Annexure P-1 in which their dates of appointment and dates of retirement have been given. For the said relief, reliance has been placed upon the Division Bench judgment of this Court in CWP No.15423 of 2008, Municipal Council, Pathankot 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.*

*Counsel submits that the petitioners have served a legal notice dated 11.03.2015 (Annexure P-5) through their union upon the respondents for the necessary relief and decision on the same is pending and he would be satisfied if a time bound direction is issued to the respondents to decide the same. Reference is made to the earlier order passed by this Court in CWP No. 1251 of 2016,*

*Santokh Singh and others vs. State of Punjab and others decided on 21.01.2016 (Annexure P-8) to submit that respondent no.2, on 27.08.2015, in similar circumstances has noticed the controversy in issue and has issued directions that payment be made to similarly situated persons.*

*Notice of motion.*

*Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of respondents no.1 and 2. 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, the writ petition is disposed of with a direction to respondent no. 2 to issue necessary directions to respondent no. 3 to process the cases of the petitioners, whose details have been given in 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 Council finds 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.”*

Since the relief claimed is similar and identical to *Malkit Singh’s* case, the present petition is disposed of in the same terms.

Necessary changes be read *mutatis mutandis*.

**12.08.2016**  
Vimal

**[RAJIV NARAIN RAINA]**  
**JUDGE**

*Whether speaking/reasoned:*      *Yes/No*

*Whether Reportable:*              *Yes/No*