

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

RA-CW-486-2015 in/and CWP No.24437 of 2015

Date of decision: 30.3.2016

Mangat Ram and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Gurbinder Singh, Advocate, for
Mr.Anoop Singla, Advocate,
for the applicants-petitioners.

Mr.Inqulab Nagpal, AAG, Punjab.

Mr.Vinish Singla, Advocate,
for respondent No.4.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J. (Oral)

Heard.

Review application is dismissed. The matter is taken up for
final disposal.

Though notice of motion had been issued to respondent No.6
alone on the premise that he retired in 2015 in case of entitlement to gratuity
but on re-consideration and after hearing learned Municipal Council,
Kotkapura, the 6th respondent is relegated to his alternative remedy available
before the Controlling Authority under the Payment of Gratuity Act, 1972.

The petition is dismissed with the aforesaid liberty. The period spent in litigating in this Court would be excluded from limitation before the forum below for the reason that this Court entertained the petition qua petitioner No.6 and, therefore, the petitioner would take the benefit of Section 14 of the Limitation Act, 1963 in pursuing the remedy in a bonafide manner in this Court.

(RAJIV NARAIN RAINA)
JUDGE

March 30, 2016

Paritosh Kumar