

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

**CWP No.27339 of 2015
Decided on : 14.01.2016**

Anil Kumar & others

... Petitioners

Versus

State of Punjab & others

... Respondents

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

Present : Mr.Jai Vir Yadav, Advocate, for the petitioners.

G.S. Sandhawalia , J. (Oral)

The petitioners seek consideration on the representation/legal notice dated 23.09.2015 (Annexure P3).

The case of the petitioners is that they are entitled for the payment of gratuity, as per the provisions of the Common Cadre Rules, 1970-71, after adjusting the amount already paid. The petitioners have retired on various dates, details of which have been mentioned in the legal notice (Annexure P3) on the posts of Manager/Senior Manager.

It is submitted that the issue has already been decided in favour of the petitioners in LPA-858-2010 titled *Punjab State Co-operative Bank Vs. Amrik Singh Walia & another*, decided on 28.02.2013 (Annexure P1), along with bunch of other cases.

Counsel for the petitioners submits that the petitioners would be satisfied, at this stage, if a time-bound direction is given to the respondents to decide the legal notice dated 23.09.2015 (Annexure P3).

Notice of motion.

Mr.R.S.Sidhu, AAG, Punjab accepts notice on behalf of the respondents No.1 & 2. He is supplied a copy of the paperbook.

Keeping in view the limited controversy involved, this Court does not feel it necessary to ask the respondents to file reply.

Accordingly, without commenting upon the merits of the case, the present writ petition is disposed of, with a direction to respondent No.2 to decide the legal notice dated 23.09.2015 (Annexure P3), within a period of 3 months from the receipt of a certified copy of this order. In case the petitioners are found entitled for the said relief, the financial benefits be disbursed to them, within a period of 2 months, thereafter. In view of the observations made by the Division Bench (Annexure P1), if payments are not made within the prescribed period, the petitioners will be entitled for interest also @ 8% per annum. In case the benefit is to be denied, a reasoned order be passed and the same be conveyed to the petitioners.

JANUARY 14, 2016
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(G.S. SANDHAWALIA)
JUDGE