

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(1.)

CWP No.7098 of 2016
Date of Decision:- 21.4.2016.

Harbhajan Singh (Retd.) and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

(2.)

CWP No.7140 of 2016
Date of Decision:- 21.4.2016.

Neelam Verma and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

(3.)

CWP No.7147 of 2016
Date of Decision:- 21.4.2016.

Raghubir Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

- 1. Whether Reporters of local papers may be allowed to see the judgment?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr. Sunny Singla, Advocate for the petitioners.

P.B. BAJANTHRI, J.

- 1.) Notice of motion.
- 2.) On the asking of the Court, Mr. Neeraj Yadav, AAG, Punjab accepts notice on behalf of the respondents. Let three copies each of the writ petitions be given to the learned State counsel during the course of day.
- 3.) This order shall dispose of CWP Nos.7098, 7140 and 7147 of 2016 as the point in issue involved in all these writ petitions is similar. For brevity, facts and being extracted from CWP No.7098 of 2016.
- 4.) The petitioners are stated to have retired employees on various dates as per Annexure P-1 from 1992 to 2015.
- 5.) Their grievance is that they are entitled for gratuity. In identical matter, this Court (both Single as well as Division Bench) held that similarly situated employees are entitled for gratuity vide Annexures P-2 and P-3.
- 6.) Learned counsel for the petitioner submitted that order of the Division Bench has been upheld by the Apex Court in the case of **Municipal Council, Pathankot Vs. Nathu Ram Gupta and others** on 8.7.2014.
- 7.) The Director, Local Government, Punjab has implemented orders of this Court as well as of the Supreme Court on

10.2.2016 and 8.2.2016 (Annexure P-7 and P-8 respectively). It was stated in the aforesaid order that some more review petitions have been filed which are pending consideration before the Apex Court. Reliefs have been granted in the orders dated 10.2.2016 and 8.2.2016 subject to decision in the pending review petitions. In view of these facts and circumstances, respondent Nos.2 and 4 are directed to examine the factual aspects of each of the petitioner as to whether each one of them are entitled to gratuity on par with others or not and take a decision within a period of eight weeks from the date of receipt of copy of this order. If the petitioners are eligible and entitled to gratuity amount, the same shall be disbursed to them within three months. If the gratuity amount is not disbursed within three months, the petitioners are entitled to interest @ 9% per annum thereon.

8.) Accordingly, the petitions are disposed of.

**(P.B. BAJANTHRI)
JUDGE**

April 21, 2016.

sandeep sethi