

CWP No. 9297 of 2016

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 9297 of 2016
Date of Decision:- 12.05.2016.

Sukhdarshan Singh

.....Petitioner

Versus

State of Punjab and another

.....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. Pawan Kumar Goklaney, Advocate
for the petitioner.

P.B. BAJANTHRI, J.

- 1.) Notice of motion.
- 2.) On the asking of the Court, Mr. Neeraj Yadav, A.A.G., Punjab accepts notice on behalf of the respondents. Let four copies each of the writ petition be given to the learned State counsel during the course of day.
- 3.) Brief facts of the case are that petitioner is stated to have retired employee on dated 31.03.2013 as per Annexure P-1.
- 4.) His grievance is that he is 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.

5.) 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.

6.) The Director, Local Government, Punjab has implemented orders of this Court as well as of the Supreme Court on 08.2.2016 and 10.2.2016 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 08.2.2016 and 10.2.2016 subject to decision in the pending review petitions. In view of these facts and circumstances, respondent No.2 is directed to examine the factual aspects of the petitioner as to whether he is 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 petitioner is eligible and entitled to gratuity amount, the same shall be disbursed to him within three months. If the gratuity amount is not disbursed within three months, the petitioner is entitled to interest @ 9% per annum thereon.

7.) Accordingly, the petition is disposed of.

May 12, 2016.
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(P.B. BAJANTHRI)
JUDGE