

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP- 17932-2013 (O&M)
Date of decision: 18.04.2017

Om Parkash Naharwal

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Naresh Kumar, Advocate for
Mr.R.D.Yadav, Advocate for the petitioner
Mr.Keshav Gupta, AAG Haryana
Mr.AmitJaiswal, Advocate for respondent no.5

- 1. Whether Reporters of Local Newspapers 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?*

Kuldeep Singh, J. (Oral)

Petitioner previously worked in Haryana State Small Industries and Export Corporation Limited from 28.3.1979 to 1.4.1985. Thereafter, services of the petitioner were placed at the disposal of District Rural Development Agency, Haryana where he remained from 1.4.1985 till the age of superannuation on 31.7.2012. The claim of the petitioner is that respondent no.2 wrongly calculated the gratuity. Therefore, gratuity should be revised considering the entire length of service from 28.3.1979 to 31.7.2012.

On behalf of respondent no.5, it is stated that their share of gratuity amounting to Rs.4538/- was paid to the petitioner vide cheque No.017373 dated 9.7.2013 as stated in the written statement. In the additional affidavit, manner of calculation of amount of gratuity has been

mentioned. Therefore, nothing is to be paid by them.

Respondent nos.2 to 4 have stated that they had paid the gratuity amounting to Rs.6,35,999/- vide cheque no.894377 dated 3.7.2013 and remaining Rs.11777/- on 30.1.2014 vide cheque no.894448. Therefore, both the agencies, where the petitioner remained posted had paid their respective share of gratuity.

Since, the entire gratuity has been paid, therefore, nothing survives in the present writ petition and the same is accordingly dismissed.

18.04.2017
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:
Whether Reportable:

Yes
No