

CWP No. 14445 of 2017
DECIDED ON: JULY 07, 2017

NARINDER KUMAR & OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB & OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sandeep Arora, Advocate
for the petitioners.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought the issuance of writ in the nature of mandamus directing the respondents to release arrears of gratuity alongwith 18% interest in view of the judgment of this Court in ***CWP No. 15423 of 2008 titled as Municipal Council Pathankot vs. Appellate Authority under the Payment of Gratuity Act and others***, decided on 22.09.2008 (Annexure P-2), which has been further upheld by the Hon'ble Apex Court in ***Special Leave to Appeal No. 11436 of 2009 titled as Municipal Committee, Pathankot vs. Nathu Ram Gupta and others*** decided on 09.07.2014 (Annexure P-4).

At the very outset, learned counsel for the petitioners submits that a representation (Annexure P-5) has been moved to respondents but till date no action has been taken on the same. He further submits that he feels satisfied if a

direction is issued to respondent No.2 to consider and decide the said representation within a stipulated period.

Accordingly, instant petition is disposed of with a direction to respondent No.2 to take a decision on the representation dated May 15, 2017 (Annexure P-4) within a period of three months from the date of receipt of certified copy of this order; that too keeping in view the judgment passed by this Court in the case *Municipal Council Pathankot vs. Appellate Authority under the Payment of Gratuity Act and others (Annexure P-2)*.

However, if the petitioners still feel aggrieved by any order of the afore-said authority, they shall be at liberty to approach this Court.

JULY 07, 2017
sham

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*