

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

Sr. No.242

Civil Writ Petition No.19074 of 2016
DECIDED ON: October 25, 2017

SUDARSHAN KUMAR THAPAR AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Aman Dhir, Advocate,
for the petitioner.

Ms. Akanksha, AAG, Punjab.

Mr. Sukhmani Tiwana, Advocate for
Mr. Vikas Singh, Advocate,
for respondents No.2 & 3.

JASPAL SINGH, J. (ORAL)

By virtue of instant civil writ petition, preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus, directing the respondents to grant/release gratuity amount on the revised rates i.e. from maximum limit of Rs.3.50 lacs to Rs.10 lacs, keeping in view Punjab Govt. Letter/Circular No.3/23/09-3FPPC-879 dated 17.08.2009 i.e. (P-1), Letter No.3/10/10-3FPPC-635 dated 26.05.2010 and Letter No.3/10/10-3FPPC-965 dated 13.08.2010 (P-2 & P-3) and letter No.EST/EAG-6/11/4120 dated 19.10.2011 (P-4) whereby the respondent-Markfed has adopted the letter dated 17.08.2009 w.e.f. 01.01.2006 and judgment dated 31.10.2014 passed by this Court in a similar

Civil Writ Petition No.19074 of 2016

case bearing CWP No.15363 of 2011 captioned as Nathu Ram & ors. vs. State of Punjab and ors. (P-5).

2. At the very outset of the arguments, it has been pointed out by learned counsel for the petitioner that the relief sought by the petitioner has though been granted by the respondents but the same is not absolutely in consonance with the Rules as method of determination of the gratuity has been wrongly adopted and applied by the respondents while passing the order dated May 09, 2017.

3. After passing the order dated May 09, 2017, instant petition has rendered infructuous and is disposed of as such.

4. In case, he still feels aggrieved of the order dated May 09, 2017 passed by the respondents, he shall have the liberty to have recourse remedy available in accordance with law.

October 25, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**