

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

**CWP No. 20340 of 2017
DECIDED ON: SEPTEMBER 08, 2017**

PAWAN KUMAR & OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB & OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of writ in the nature of mandamus directing the respondents to release the revised gratuity and interest on delayed payment of gratuity to the petitioners under the provisions of rule and law passed by the Government and Judgment passed by the Hon'ble Supreme Court and Hon'ble High Court.

2. At the very outset, learned counsel for the petitioner submits that though a legal notice dated January 17, 2017 (Annexure P-3) was served upon the respondents but neither any reply has been received nor any conscious decision has been taken. He further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide the same within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioners in the legal notice dated January 17, 2017 (Annexure P-3) and take a conscious decision in accordance with law, rules and regulation and instructions issued from time to time, as well keeping in view the judgments dated September 28, 2015 passed in CWP No. 20565 of 2015, titled as **Kamal Dev and others vs. State of Punjab and others**, within a period of three months from the date of receipt of certified copy of this order. In case respondent No.2 comes to the conclusion that petitioners are entitled to the relief(s) claimed by them, to make payment thereof, within next 45 days. However, the matter with regard to grant of interest on delayed payment be also considered in view of observations made by Full Bench of this Court in case captioned as **"A.S. Randhawa vs. State of Punjab and others; 1997 (3) SCT 468** and in CWP No. 8772 of 2015 titled as **Charan Dass vs. State of Punjab & others**; decided on July 11, 2017. However, if the petitioners still feel aggrieved by any order of the afore-said authority, they shall be at liberty to approach this Court.

SEPTEMBER 08, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*