

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

**CWP No.8111 of 2017  
Date of decision: 26.05.2017**

Kanwar Bahadur

... Petitioner

VS.

The Controlling Authority & anr.

... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

Present: Mr. S.S.Rana, Advocate  
for the petitioner.

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**Rajiv Narain Raina, J.(Oral)**

The petition has been filed under Article 226 praying for issuance of directions to modify award dated April 17, 2015 to the extent that petitioner ought to be held entitled to gratuity on the basis of last drawn wages at the rate of ₹ 10,318/- instead of ₹ 7,295/-.

It is the pleaded case of petitioner himself before the Controlling Authority under the Payment of Gratuity Act, 1972 that his last drawn wages were ₹ 7,295/- so he cannot claim higher wages by filing writ petition.

Another prayer is to issue directions for release of the amount awarded along with interest @ 9% which cannot be acceded to by the Writ Court without justification.

The Writ Court in its original jurisdiction is not an executing Court for an order passed by the Authority. This petition is neither maintainable nor can be entertained. Accordingly, it is dismissed.

**(RAJIV NARAIN RAINA)  
JUDGE**

**26.05.2017**

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1. Whether speaking/non-speaking?
2. Whether reportable?

Yes  
No