

**CWP No. 13238 of 2015
DECIDED ON: MARCH 06, 2018**

DES RAJ

.....PETITIONER

VERSUS

**HARYANA STATE MINOR IRRIGATION & TUBEWELLS
CORPORATION AND ANR.**

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH.

Present: Mr. Virender Kumar, Advocate
for the petitioner.

Mr. Rajesh Gaur, Advocate for
Mr. D.K. Khanna, Advocate
for the respondents.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to release the amount of gratuity to the tune of ₹89,145/- along-with interest from due date till its realization, to the petitioner.

2. During the pendency of instant petition, an amount of 46,337/- has already been paid to the petitioner vide cheque No. 800983, dated October 19, 2015 out of the afore-said amount. Similarly, an amount of 37,103/- has been paid to the petitioner on account of interest on gratuity for the period September 01, 2006 to October 16, 2015, vide cheque No. 250150, dated January 01, 2016.

3. However, at this juncture the contention of learned counsel for the petitioner is that the entire amount of gratuity, to which the petitioner is entitled for having rendered services to the respondents, has not been released and similar is the situation with regard to grant of interest thereon.

4. Taking into consideration the afore-said facts and circumstances, this Court is of the considered opinion that the instant petition has rendered infructuous as the above-referred amount on account of gratuity as well as interest thereon, has already been paid to the petitioner and instant petition is disposed of, as such.

5. However, petitioner shall be at liberty to approach the concerned authorities for the redressal of his grievance, if he is still aggrieved, with regard to the quantum of gratuity and interest thereon.

MARCH 06, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>