

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

CWP No. 13735 of 2016

Date of Decision:-11.10.2018

Prabhjot Kaur

...Petitioner

Versus

Central Board Secondary Education and others

...Respondents

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

Present:- Mr. Amrik Singh, Advocate
for the petitioner.

Mr. Sanjay Tangri, Advocate
for respondent Nos.2 and 3.

RAJIV NARAIN RAINA J.(Oral)

Prayer in this petition is for issuance of a writ, order or direction in the nature of mandamus directing the respondents to release the gratuity amount accrued to the petitioner along with interest @ 18% per annum after the retirement of the petitioner on completion of 24 years of service on 31.1.2009.

There is an alternative remedy, which is equally efficacious available to the petitioner before the controlling authority under the Payment of Gratuity Act, 1972, where their claim with regard to the gratuity can be adjudicated. In case an application is filed before the controlling authority it would go into the question of delay in making an application and whether the application is barred, by recording proper findings thereof by excluding the time spent in these proceedings.

Dismissed with the aforesaid liberty.

October 11, 2018
Vijay Asija

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No