

CWP No.17408 OF 2014
and another connected case

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

DECIDED ON: MAY 10, 2018

1. CWP No.17408 OF 2014

PAUL SINGH AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

2. CWP NO.17831 OF 2014

SUBHASH CHANDER AND OTHERS

....PETITIONERS.

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Tribhawan Singla, Advocate,
for the petitioner(s).

Ms. Deepali Puri, Additional Advocate Geneal, Punjab.

Mr. Amit Singh Sethi, Advocate,
for respondents No. 2 to 4.

JASPAL SINGH, J (ORAL)

By virtue of instant order, this Court intends to dispose of two petitions bearing CWP No.17408 of 2014, titled as “*Paul Singh and others v. State of Punjab and others*” and CWP No.17831 of 2014, titled as “*Subhash Chander and others vs. State of Punjab and others*”, as common question of law and facts is involved.

2. The facts of CWP No.17408 of 2014 are that petitioners have sought issuance of a writ in the nature of mandamus directing the respondents to release the gratuity for the period of service rendered by them with the State of Punjab prior to their absorption with the Punjab State Tubewell Corporation in the light of judgement dated 09.12.2008 passed in CWP No. 1292 of 1997, titled as Punjab State Tubewell Association v. State of Punjab and otghers". Whereas in another petition bearing CWP No.17831 of 2014, the relief claimed by petitioners is for issuance of direction to the respondents to release leave encashment (full 300 days) and gratuity in the light of aforesaid judgment.

3. During the course of arguments, learned counsel for the petitioner(s) has fairly conceded that so far as the release of amount on account of leave encashment to petitioners is concerned, it has already been released to the petitioners by the respondents. However, the question with regard to the grant of gratuity still subsists.

4. Today, learned State counsel, on instructions from Prakhar Deep Rana, Accountant, AG (A&E) Punjab, Chandigarh has submitted that cases of petitioners for payment of gratuity were received from the Government in the Office of Accountant General Punjab in the first week of April, 2018 and are under its active consideration. The cases pertaining to Subhash Chander and Paul Singh have already been finalized by the office of the Accountant General Punjab vide different orders and shortly, the same would be released/disbursed to the petitioners.

5. Thus, keeping in view the aforesaid facts and circumstances, this Court is of the considered view that both these petitions can be conveniently

disposed of with necessary direction to the respondents.

6. Accordingly, both these petitions are disposed of with the direction to respondent No.5-Accountant General (A&E), Punjab, Chandigarh to take a final decision with regard to the cases of the remaining petitioners for the grant of gratuity within a period of one month positively and further the respondent(s) shall ensure the payment of the amount of gratuity to the petitioners within a period of next one month along with interest @ 9% per annum from the date of institution of instant petition(s).

7. In case of non-compliance of aforesaid directions, the petitioner(s) shall be at liberty to have recourse to the other remedies available under law including filing of writ petition.

**MAY 10, 2018
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**(JASPAL SINGH)
JUDGE**

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