

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

Sr. No.113

Civil Writ Petition No.15163 of 2018
DECIDED ON: July 02, 2018

GURCHRAN LAL BHATIA AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jagtar Singh Sidhu, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ in the nature of Mandamus directing the respondents to pay 9%+3% interest on delayed payment of gratuity under Payment of gratuity Act, 1972, as per the provisions contained in Sections 7 & 8 of the Gratuity Act, 1972.

2. Learned counsel for the petitioners contends that though varoius representations were made to the respondents on 20.01.2018 (P-3 colly) but till date neither any reply to the said representations has been received nor any final order has been passed by the concerned Department. He further submits that they feel satisfied in case a direction is issued to respondent No.5 to decide the aforesaid representations, within some specified period.

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3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.5 to consider and pass a specific order on their representations dated 20.01.2018 (P-3 colly) particularly in light of the judgments rendered in CWP No.13240 of 2015, captioned as ***Harnek Singh & ors. vs. State of Punjab & ors.***, decided on 08.08.2016 as well as CWP No.17932 of 2015, titled as ***Gurchran Lal Bhatia & ors. vs. State of Punjab & ors.***, decided on 03.05.2018 and orders dated 07.02.2017 (P-4) passed by the Director-cum-Special Secretary stated to have been passed in a similarly situated employees, within a period of three months from the date of receipt of a certified copy of this order.

4. However, if petitioners still feel aggrieved by any of the orders passed by the aforesaid authority, they shall be at liberty to approach this Court.

July 02, 2018
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No