

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

Sr. No.262

Civil Writ Petition No.6392 of 2017
DECIDED ON: September 05, 2018

SURINDER KAUR

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: None for the petitioner.

Mr. Charanpreet Singh, Assistant Advocate General, Punjab,
for respondent No.1.

Mr. Dilraj Singh Bhinder, Advocate,
for respondents No.2 & 3.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of a writ especially in the nature of Mandamus directing the respondents to release the balance payment of gratuity at the revised rate i.e. from Rs.3.50 lacs to Rs.10 lacs in accordance with provisions of Payment of Gratuity Act 1972 and arrears of gratuity along with interest @ 18% from the due date till the actual date of payment in terms of the law laid down by this Court in CWP No.15636 of 2011 captioned as *Nathu Ram & ors. vs. State of Punjab & ors.*

Civil Writ Petition No.6392 of 2017

2. At the very outset of the arguments, it has been pointed out by learned counsel for respondents No.2 & 3 that the instant petition has rendered infructuous in view of the fact that gratuity at the revised rate upto Rs.10 lacs in accordance with provisions of Payment of Gratuity Act, 1972 has already been made to the petitioner, as per MARKFED Common Cadre Rules, 1990 that too, along with interest @ 10% from the date of superannuation till the actual payment vide Cheque No.816269 dated 11.09.2017 (R-2). Since, the relief claimed through the instant petition has already been granted and disbursed to the petitioner, instant petition has rendered infructuous.

3. Accordingly, it stands disposed of.

September 05, 2018
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No