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

**CM No.7470-71-CII of 2019 &
CM No.17971-CII of 2019 in/and
COCP No.75 of 2016**

Date of Decision: 06.09.2019

Tara Singh (since deceased) through LRs

Petitioners

Versus

S.S. Dhillon, IAS, Additional Chief Secretary, Government of
Haryana and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. P.K. Sachdev, Advocate
for the petitioners.

Mr. Sandeep S. Mann, Sr. D.A.G., Haryana.

AVNEESH JHINGAN, J (Oral):

CM No.17971-CII of 2019:

The present application has been filed under Section 151
of the Code of Civil Procedure, 1908 for placing on record the
rejoinder to the details of calculation of final payment.

The application is allowed, rejoinder is taken on record.

COCP No.75 of 2016:

Pursuant to notice of motion, reply and additional affidavit
mentioning the calculation has been filed. The only dispute now
remains with regard to calculation of gratuity and benefits under

Section 47 of *Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995* [for brevity 'the Act'].

Learned State counsel is not in a position to make statement on above two issues due to lack of instructions.

The contempt petition is disposed of with directions to the respondents that in case gratuity is found due, the petitioner shall be disbursed due payment within six weeks from today. In case there is dispute with regard to gratuity, a notice would be served upon petitioner and order would be passed in accordance with law after affording opportunity of hearing to the petitioner.

So far as benefits under Section 47 of the Act are concerned, the petitioner shall make detailed representation alongwith his calculation, within two weeks from today. Thereafter, the said representation would be decided in accordance with law after providing opportunity of hearing to the petitioner. The needful would be done within six weeks from receipt of representation.

**[AVNEESH JHINGAN]
JUDGE**

September 06, 2019

pankaj baweja

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No