

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

CWP-7651-2019

Date of decision: - 08.04.2019

Rajinder Singh Pahil

....Petitioner

Versus

Sarava Haryana Gramin Bank and another

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Tribhuvan Dahiya, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The only argument raised today before this Court is that though the petitioner has been dismissed from service by an order dated 18.05.2018 and even the appeal filed against the said order has already been dismissed on 22.10.2018, still in view of the regulations governing the service, the petitioner cannot be denied the benefit of gratuity.

Counsel for the petitioner states that under Regulation 72 of the Sarva Haryana Gramin Bank (Officers & Employees), Service Regulations, 2010, the gratuity of an officer cannot only be withheld even after dismissal on account of misconduct if there is no financial loss caused to the Bank and in case, there is a financial loss, the gratuity only to the said extent can be withheld.

Counsel for the petitioner further states that for the release of the gratuity, the petitioner has submitted a representation dated 14.02.2019 (Annexure P-10), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said representation.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the representation dated 14.02.2019 (Annexure P-10) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

April 08, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No