

DARSHNA RANI VS STATE OF HARYANA AND OTHERS

Present:- Mr. N.K. Malhotra, Advocate,
for the applicant-petitioner.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

Mr. Amit Rao, Advocate
for Mr. Anurag Goyal, Advocate
for respondents No.3 and 4.

Present review petition has been filed on the ground that in the main writ petition, there were two grievances, which were being raised by the petitioners i.e. one for the claim of gratuity and another for the payment of leave encashment.

Counsel for the review petitioner during the course of hearing accepts that the grievance with regard to non-grant of the gratuity was never agitated when the case was argued on 20.03.2019. Further, the order was dictated in the presence of counsel for the petitioner and no grievance, as being raised in the present writ petition, was ever raised during the course of hearing.

Even otherwise, for the payment of gratuity under the Payment of Gratuity Act, 1972, the petitioner has the remedy and he is entitled to invoke the said remedy in case he has any grievance with regard to the payment of less gratuity, than he is entitled for.

No ground for reviewing the order dated 20.03.2019 is made out, hence, the present review application is dismissed.

(HARSIMRAN SINGH SETHI)
JUDGE

May 07, 2019

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