

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(118)

CWP No. 34536 of 2019

Date of Decision : 27.11.2019

Harbans Singh and another

....Petitioners

Versus

The Board of Directors, The Punjab State Cooperative Supply &
Marketing Federation Limited (MARKFED) and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Ms. Jagdeep Bains, Advocate and
Mr. Tahaf Bains, Advocate for the petitioners.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioners argues that keeping in view the law laid down by this Court in CWP No. 15363 of 2011 titled as ***Nathu Ram and others Vs. State of Punjab and others***, decided on 31.10.2014, petitioners were entitled for gratuity on the enhanced rate as the employees of the MARKFED have been held entitled to the enhanced gratuity w.e.f. 01.01.2006 and petitioners had retired from services after the said date and, therefore, the benefit of judgment in ***Nathu Ram's case (supra)*** needs to be extended to the similarly situated employees. Learned counsel for the petitioners prays that a direction be issued to respondent No. 2 to grant the petitioners the benefit of enhanced gratuity keeping in view the decision of this Court in ***Nathu Ram's case (supra)***.

Learned counsel for the petitioners states that for the relief, which has been claimed in the present writ petition, petitioners have served the respondents with legal notices dated 01.05.2019 (Annexures P-6 and P-7), which are still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to respondent No. 2 to decide the said legal notices.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioners, the respondent No. 2 is directed to decide the legal notices dated 01.05.2019 (Annexures P-6 and P-7) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Writ petition stands disposed of accordingly.

November 27, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*