

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CM-11161-CWP-2020 in
CWP No.12553 of 2020
Date of decision: 19.02.2021

Raj Kumar

.....Petitioner

versus

**The Dy. Chief Labour Commissioner (Central), Ministry of Labour and
Employment, Govt. of India and ors.**

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Jatinder Jit Singh, Advocate for the petitioner.

Mr. Deepak Kundu, Advocate for
Mr. Piyush Khanna, Advocate
for respondent Nos.1 and 2.

Mr. T.S. Sidhu, Advocate for respondent No.3.
*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual Court
on account of restrictions due to COVID-19).*

GIRISH AGNIHOTRI, J. (Oral)

Petitioner-Raj Kumar, stated to be aged 67 years, has filed present writ petition *inter alia* with a prayer for issuance of an appropriate writ in the nature of mandamus directing the respondent No.2 to release the amount of Gratuity, determined vide order dated 22.03.2018 passed under The Payment of Gratuity Act, 1972, to the tune of Rs.10,50,350/-, which had already been deposited by respondent No.3, while filing the Appeal before respondent No.1 (since dismissed on 17.12.2019).

Records of the case show that vide order dated 24.08.2020, notice of motion was issued.

In compliance to the order dated 24.08.2020, CM No.11161 of 2020 has been filed for placing on record the short reply along with Annexure R-1/1.

Application is allowed.

Reply along with Annexure R-1/1 is taken on record.

In the reply, it has been *inter alia* submitted that an amount so sought stand released to the petitioner, copy of the document has been appended as Annexure R-1/1.

The above said fact has not been disputed by learned counsel for the petitioner and he is agreeable that the present writ petition, therefore, can be disposed of.

At this stage, learned counsel for respondent No.3 submits that there were departmental enquiries, in some of which, the petitioner was held guilty. He further submits that the appeal against the same are still pending before the Board of Directors.

In view of the above, the present writ petition is disposed of by noticing that the amount of gratuity already stand paid as per the affidavit filed by respondents No.1 and 2. Respondent No.3 is directed to expeditiously decide the appeals/disciplinary proceedings pending before it, preferably within a period of *six months*, from the date of receipt of certified copy of this order.

Ordered accordingly.

(GIRISH AGNIHOTRI)
JUDGE

19.02.2021/*jyoti3*

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No