

**212(2) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.20039 of 2012 (O&M)
Date of Decision: 21.11.2022

The Punjab Small Industries & Export Corporation Ltd.

.....Petitioner

Versus

P.S. Barar and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Sanjeev Sharma, Advocate for the petitioner.

Mr. Sharwan Sehgal, Advocate for respondent No.1.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of Mandamus for quashing the order dated 26.08.2011 (Annexure P-9) of the Controlling Authority and order dated 10.04.2012 (Annexure P-11) of the Appellate Authority, whereby the appeal of the petitioner has been dismissed.

It has come up during the arguments that pursuant to the order passed by the Authorities, the petitioner had deposited the amount of gratuity and the respondent-employee had even withdrawn the said amount. The petitioner now stands expired. Therefore, neither the claim of the respondent-employee can be agitated any more, nor there is any ground for the petitioner-employer to continue with the present petition; because the amount already withdrawn by the respondent-employee, cannot be recovered from the legal representatives of the employee.

In view of the above, the present petition is disposed of has having been rendered as infructuous.

The pending miscellaneous application, if any, is also disposed of as such.

**(RAJBIR SEHRAWAT)
JUDGE**

21.11.2022
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No