

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

CWP-26923-2022
Date of Decision: 23.11.2022

Santokh Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Ms. Sangita Dhanda, Advocate,
 for the petitioners.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to pay gratuity to the petitioner on their superannuation after putting in more than 25 to 35 years of service in compliance of provisions of Payment of Gratuity Act, 1972; along with certain other prayers.

It is submitted by the learned counsel for the petitioners that the petitioners were serving as Home Guards with the respondents. They were not granted any gratuity. Learned counsel has further submitted that the similarly situated employees, who were not earlier granted the benefit of gratuity; had approached the authorities under the Payment of Gratuity Act, 1972 (herein after referred to as 'the Act'). Those applications of the said employees were allowed and they were held entitled to the payment of gratuity. Although, the said order in favour of the similarly situated employees was upheld by the appellate authority, however, the matter is

pending before this High Court in **CWP No.8289 of 2022** titled as '**State of Punjab and others Vs. Bhupinder Singh and others**'.

In view of the fact that the similarly situated employees have already approached the authorities under the Act and have been held entitled to the gratuity as per the provisions of the Act, therefore, the petitioners being similarly situated; would be at liberty to avail the remedy under the Act, but in accordance with law.

In view of the above factual situation, the present petition is dismissed with liberty to the petitioners to approach the authorities under the Act, but in accordance with law.

(RAJBIR SEHRAWAT)
JUDGE

23.11.2022
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No