

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-12043-2023

Date of decision : 21.07.2023

Deepak Kapoor

..... Petitioner

Versus

Punjab National Bank and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Arav Gupta, Advocate
for the petitioner.

Mr. Saurav Verma, Mr. Akosh Soni and Ms. Preet Grover, Advocates
for respondents No. 1 and 2.

HARSH BUNGER, J. (ORAL)

This civil writ petition has been filed under Articles 226/227 of the Constitution of India seeking directions to respondents to release the amount of gratuity in favour the petitioner, in terms of order dated 01.08.2023 (Annexure P-5), passed by the Controlling Authority/Assistant Labour Commissioner, Karnal (respondent No. 3 herein) and further seeking directions to respondent-Bank to comply with the letter dated 22.08.2022 (Annexure P-6) whereby they have been directed to release the payment of gratuity to the petitioner withheld by them within 30 days from the date of receipt of said letter.

2. Notice was issued on 13.7.2023 and the same was accepted by Mr. Tarlok, Advocate (appearing for Mr. Gaurav Goel, Advocate) on behalf of respondents No. 1 and 2.

3. Today, Mr. Saurav Verma, Advocate appears on behalf of respondents No. 1 and 2 and submits that an appeal against the order dated 01.08.2023 (Annexure P-5) passed by respondent No. 3 already stands filed before the Appellate

Authority and he has also handed over photocopy of Demand Draft No. 073844 dated 28.12.2022 of Punjab National Bank, Sector 17-B, Chandigarh, for a sum of Rs. 18,00,000/-, in the name of Deputy Chief Labour Commissioner Central Chandigarh, which according to him stands deposited with the concerned Authority as per statutory provisions at the time of filing of the appeal, which is stated to be pending before the Appellate Authority. The photocopy of aforesaid demand draft filed in the Court today is taken on record subject to all just exceptions.

4. In view of the aforesaid statement, learned counsel for the petitioner prays for withdrawal of the instant petition to pursue the appeal, which is stated to have been filed by respondents No. 1 and 2 before the Appellate Authority.

5. Dismissed as withdrawn.

(HARSH BUNGER)
JUDGE

21.07.2023

sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No