

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

CWP-16633-2023

Date of decision: 11.08.2023

Krishna Devi

.....Petitioner

 V/s

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Ms. Kriteka Sheokand, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant petition has been filed under Article 226/227 of the Constitution of India for issuance of writ in the nature of mandamus, directing the respondents to release the gratuity for the period of service rendered by the petitioner with the State of Punjab before their absorption with the Punjab State Tubewell Corporation.

Learned counsel for the petitioner contends that similarly situated employees have received the gratuity for the period of service rendered by them. She refers to order dated 17.03.2023 passed in COCP No.2179-2022 (O&M) and COCP-2180-2022 (O&M), wherein learned counsel for the respondent No.2 in those contempt petitions, on the basis of affidavit of Managing Director, Punjab Water Resources Management and Development Corporation, Mohali had submitted that due amount of gratuity along with interest @ 9% was paid to all the petitioners and nothing was due to be paid. She further submits that petitioner has served legal notice dated 05.05.2023 (Annexure P-5) to the respondents, which has not been taken into consideration till date and the petitioner would be

satisfied if necessary directions are given for deciding the legal notice in a time bound manner.

Notice of motion.

On asking of the Court, Mr. Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of respondents No.1 and 4 and does not object to the prayer made by learned counsel for the petitioners.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice dated 05.05.2023 (Annexure P-5), respondents are directed to decide the aforesaid legal notice, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order with a further direction that if the petitioner is found to be entitled to the claim mentioned in the abovesaid legal notice, necessary disbursement of funds shall be made to her within a period of 8 weeks thereafter.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

11.08.2023
Sapna

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No