

**110 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH110**

CWP-30317-2022 (O&M)

Date of decision : 20.04.2023

**The Punjab State Co-operative Supply
and Marketing Federation Ltd.**

...Petitioner

Vs.

**The Appellate Authority under
the Payment of Gratuity Act, 1972 and another**

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Abhilaksh Gaind, Advocate
for the applicant-petitioner.

Mr. Karan Kumar Jund, Central Govt. Counsel
for Union of India.

MANOJ BAJAJ, J.

CM-6764-CWP-2022

This application has been filed under Section 151 of Code of Civil Procedure, 1908 for impleading Union of India through Secretary, Ministry of Labour and Employment, as respondent No.2.

Heard.

For the reasons mentioned in the application, which is supported by an affidavit, same is allowed and amended memo of parties is taken on record.

Main petition

Petitioner has approached this Court under Section 226 Constitution of India for issuance of a writ in the nature of mandamus directing the respondent No.1 (appellate authority) to hear and adjudicate upon the appeals wherein the orders passed by the controlling authorities under the Payment of Gratuity Act, 1972 have been challenged.

Learned counsel has drawn the attention of the Court to page No.11

of the writ petition to contend that 10 separate decisions passed by the controlling authority in different cases have been challenged by way of statutory appeals before the respondent No.1 and the respective requisite amount in order to maintain the appeals stands deposited. He submits that alongwith each appeal, interim prayer for stay of the disbursement of the assessed amount has been prayed, but because of delay in hearing of the appeals, the petitioner apprehends that the controlling authority may disburse the amount to the beneficiaries. He prays for a limited indulgence of this Court for issuance of directions to the appellate authority to adjudicate the cases expeditiously.

Notice of motion.

Mr. Karan Kumar Jund, Advocate, who is present and accepts notice on behalf of Union of India on the asking of the Court and states that the regular functioning of the appellate authority was discontinued upon the demise of the Presiding Officer in January, 2023, therefore, the additional charge was given to some other official, who is based in New Delhi. He, on instructions, further states that a regular Presiding Officer would be joining the appellate authority by first week of May, 2023.

Considering the above background, the writ petition is disposed of with a direction to the appellate authority to decide the appeals filed by the petitioner expeditiously.

(MANOJ BAJAJ)
JUDGE

20.04.2023

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Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No