

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case No. :- WP(C) No. 1799/2024
CM No. 4400/2024

Ranbir Singh Manhas

.....Petitioner(s)

Through: Mr. Sandeep Singh, Advocate.

Vs

UT of J&K and ors.

..... Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG.

Coram: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
02.08.2024

1. In the instant writ petition filed under Article 226 of the Constitution of India, the petitioner has sought the following relief(s):-

- “(a) Mandamus commanding the respondents to release a sum of Rs. 64,217/- alongwith interest @ 10% from the date of the order till its realization;
(b) Any other relief, which this Court may deem fit in the facts and circumstances of the case.”*

2. The case of the petitioner is that he approached the office of respondent No. 3-Deputy Commissioner (Collector), Jammu for redressal of his grievance vis-à-vis recovery of amount, however, the said respondent did not pay heed to his grievance. Learned counsel for the petitioner submits that since the respondent No. 3 has not taken steps for recovery of the amount from respondent No. 2-Liquidator, JAKFED Ltd., Jammu, the petitioner issued a legal notice, calling upon respondent No. 3 to do the needful as per the order of respondent No. 4-Assistant Labour Commissioner (Controlling Authority under the Payment of Gratuity Act, 1972). However, even after the receipt of legal notice, nothing has been done and there is consistent failure on the part of

respondents in making payment of balanced amount of gratuity of petitioner, which has compelled him to approach this Court by way of instant petition.

3. Learned counsel for the petitioner further submits that the petitioner would feel satisfied, in case a direction is issued to respondent No. 3 to accord due consideration to the claim of the petitioner within some reasonable time.

4. Heard learned counsel for the petitioner at length and perused the record.

5. Issue notice.

6. Mrs. Monika Kohli, learned AAG waives notice on behalf of respondents. She submits that she is not averse to the disposal of the instant writ petition, at this stage, provided the same is directed to be accorded consideration strictly in accordance with the rules and as per law.

7. With the consent of learned counsel for the parties and keeping in view the facts and circumstances of the case, the instant writ petition is taken up for disposal at this stage and is disposed of with a direction to the respondent No. 3 to accord due consideration to the grievance of the petitioner and to take a decision strictly under rules and as per law within a period of six weeks from the date, a certified copy of this order alongwith complete set of writ petition are made available to the said respondent.

8. The writ petition is, accordingly, *disposed of*, alongwith connected application.

(Wasim Sadiq Nargal)
Judge

JAMMU
02.08.2024
Ram Krishan