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

CWP-4993-1998**Date of Decision: 04.11.2024****THE CHAIRMAN KHARGA CANTEEN**

..... Petitioner

*Versus***MOHAN LAL AND OTHERS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Nemo.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 17.12.1996 (Annexure P-1) whereby Controlling Authority under the Payment of Gratuity Act, 1972 (for short '1972 Act') has awarded gratuity amounting to Rs.22,575/- alongwith interest @ 10% per annum to the workman and order dated 09.02.1998 (Annexure P-2) whereby Appellate Authority has dismissed its appeal.

2. From the perusal of record, it comes out that respondent worked with petitioner from 1981 to 1994. He was not paid gratuity and Controlling Authority vide impugned order dated 17.12.1996 (Annexure P-1) directed the respondent to pay a sum of Rs.22,575/- alongwith interest @ 10% per annum to the workman. The petitioner preferred appeal before Appellate Authority which was dismissed vide order dated 09.02.1998 (Annexure P-2). The petitioner is relying upon standing orders and attempting to plead that 1972 Act is not applicable in view of

standing orders. *Prima Facie*, there is no substance in the contention of the petitioner.

3. There was no representation on behalf of the petitioner on 01.05.2024 and matter was adjourned in the interest of justice. Even today, there is no representation on behalf of the petitioner. In these circumstances, petition is hereby dismissed with liberty to petitioner to move an appropriate application within 3 months from today, if cause survives.

(JAGMOHAN BANSAL)
JUDGE

04.11.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>