**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

116 **LPA-1978-2025 (O&M).**
Date of Decision: 11.11.2025.

The Punjab State Cooperative Supply & Marketing Federation Ltd. (Markfed) Jalandhar ....Appellant.

VERSUS

Deputy Chief Labour Commissioner (Central) and another ....Respondents.

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CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Vikas Singh, Senior Advocate and
Ms. Anamika Sheoran, Advocate for the appellant.

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ANUPINDER SINGH GREWAL, J. (Oral)

CM-4893 AND 4892-LPA-2025

Prayer in these applications is for condonation of delay of 114 days in filing and 25 days in re-filing the appeal respectively.

Heard.

For the reasons stated in the applications, the same are allowed and delay of 114 days in filing and 25 days in re-filing the appeal is condoned.

LPA-1978-2025

The appellant has challenged the judgment of the Single Bench dated 05.12.2024, whereby the writ petition preferred by the appellant challenging the orders of the Controlling Authority and Appellate Authority has been dismissed.

2. Learned senior counsel for the appellant submits that by the order of the Controlling Authority, the appellant has been held liable to pay an amount of Rs.1,56,891/- over and above the amount of gratuity which has already been paid to respondent No.2 at the time of his retirement in 2010.

3. Heard.

4. Respondent No.2 had retired from service on 31.03.2010 as a Personal Assistant after rendering 34 years of service. The gratuity had been paid to him in terms of the Punjab State Cooperative Supply and Marketing Federation Employee (Common Cadre) Service Rules, 1990 (hereinafter to be referred as 'Rules of 1990'). Earlier, there was a dispute with regard to applicability of these Rules to the employees of the appellant and this Court in CWP No.15363 of 2011 decided on 31.10.2014 had held that the employees of the appellant would be covered under the Rules of 1990 and would be entitled to the enhanced gratuity w.e.f. 01.01.2006.

5. Respondent No.2 had been paid Rs.5,09,895/- as gratuity at the time of his retirement in the year 2010. The respondent No.2 in 2017 had approached the Controlling Authority by filing a claim petition and the Controlling Authority by its order dated 10.01.2018, had decided the claim petition in favour of respondent No.2 and directed the appellant to pay Rs.1,56,891/- in addition to the amount already paid to respondent No.2 towards gratuity. The Controlling Authority had calculated the amount of gratuity payable to respondent No.2 by applying the formula as provided under Section 4(2) of the Payment of Gratuity Act, 1972. We are in agreement with the judgment of the Single Bench that the calculation arrived

at by the Controlling Authority was correct as per law and the appellant is liable to pay the balance amount of gratuity to respondent No.2 along with interest at the rate of 10% per annum from the date of implementation of amended Rules of 1990.

6. Consequently, the Letters Patent Appeal being devoid of any merit stands dismissed.

7. Pending application(s), if any, stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

11.11.2025
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Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No