



CWP-13743-2024 and other connected cases :1:

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

284 CWP-13743-2024
Date of decision : 22.01.2025
KRISHAN KUMAR Petitioner

VERSUS

STATE OF HARYANA AND OTHERS Respondents

1. CWP-13745-2024
ROHTASH SINGH Petitioner

VERSUS

STATE OF HARYANA AND OTHERS Respondents

2. CWP-13755-2024
BHOOP SINGH Petitioner

VERSUS

STATE OF HARYANA AND OTHERS Respondents

3. CWP-13785-2024
MAHENDER SINGH (DECEASED) THROUGH HIS LRS Petitioner

VERSUS

STATE OF HARYANA AND OTHERS Respondents

4. CWP-13791-2024
SATBIR SINGH Petitioner

VERSUS

STATE OF HARYANA AND OTHERS Respondents

5. CWP-13801-2024
RAJVIR SINGH Petitioner

VERSUS

STATE OF HARYANA AND OTHERS Respondents



CWP-13743-2024 and other connected cases :2:

6. CWP-13808-2024
RAJ KUMAR Petitioner
VERSUS
STATE OF HARYANA AND OTHERS Respondents

7. CWP-13809-2024
ROSHAN LAL Petitioner
VERSUS
STATE OF HARYANA AND OTHERS Respondents

8. CWP-13813-2024
JAGDISH CHANDER Petitioner
VERSUS
STATE OF HARYANA AND OTHERS Respondents

9. CWP-13817-2024
VED PARKASH (DECEASED) THROUGH HIS LRS Petitioner
VERSUS
STATE OF HARYANA AND OTHERS Respondents

10. CWP-13836-2024
RAMESHWAR SINGH Petitioner
VERSUS
STATE OF HARYANA AND OTHERS Respondents

11. CWP-13916-2024
DHARAMPAL Petitioner
VERSUS
STATE OF HARYANA AND OTHERS Respondents

**CWP-13743-2024 and other connected cases****:3:****12.****CWP-13758-2024****RAJ KUMAR**

..... Petitioner

VERSUS**STATE OF HARYANA AND OTHERS**

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*******

Present :- Mr. Hemant Hans, Advocate
for the petitioners.

Ms. Prerna Malhotra, Advocate for
Mr. Prateek Mahajan, Advocate
for respondents No.5 to 7-DHBVN.

Mr. Padamkant Dwivedi, Advocate and
Mr. Randeep Tanwar, Advocate
for respondents No.5 to 7 in CWP-13745-2024 and
CWP-13785-2024.

Mr. Sandeep Singal, Advocate
for respondent No.8 in all cases.

*********Harsimran Singh Sethi, J. (Oral)**

1. Learned counsel appearing on behalf the petitioners submits that the petitioners had raised a claim for the grant of benefit under Section 4 of the Payment of Gratuity Act 1972, against respondent No.5 as well as respondent No.8.

2. Learned counsel submits that the Controlling Authority passed an order on 17.01.2023 (Annexure P-7) by which, the liability was passed upon respondent No.8-Haryana Ex-services League was found liable to pay the same against which, the appeal was preferred by the Haryana Ex. Services League, which has been accepted by the Appellate Authority which has left the petitioners without any gratuity.



CWP-13743-2024 and other connected cases :4:

3. Learned counsel for the petitioners submits that inadvertently, against the order of the Controlling Authority dated 17.01.2023 so as to challenge the finding that respondent No.5 is not liable for the payment being claimed by the petitioner and no appeal was preferred hence, liberty be given to prefer an appeal against order dated 17.01.2023 before the Appellate Authority so as to make respondent No.5-Dakshin Haryana Bijli Vitram Nigam liable to pay the gratuity to the petitioners.

4. Learned counsel appearing on behalf of the respondents including respondent No.5 i.e Dakshin Haryana Bijli Vitran Nigam raises no objection qua the payment of the petitions as noticed hereinbefore.

5. Keeping in view the above, the present petitions are disposed of having been not pressed any further with liberty to the petitioners to file appeal against the order dated 17.01.2023 of the Controlling Authority before the Appellate Authority. Before proceedings further, it may be noticed that as the petitioners are claiming gratuity, the appeal if preferred within a period of one month from today, the same will be decided on merits and will not be rejected on the ground of limitation as agreed between the parties.

6. Ordered accordingly.

6. A photocopy of this order be placed on the connected case files numbered above.

(HARSIMRAN SINGH SETHI)
JUDGE

22.01.2025
Rimpal

Whether speaking/reasoned	Yes
Whether Reportable :	No