



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

CWP-16510-2025

Date of Decision:-29.05.2025

Rajender Prasad and Others

...Petitioners

Vs.

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Rajiv Kumar Saini, Advocate
for the petitioners.

Ms. Rajni Gupta, Addl. A.G., Haryana
for respondents No.1 & 4 and also appearing as Advocate
for respondent No.2.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking direction to respondent to decide legal notice dated 01.03.2025. The petitioners are further seeking direction to respondent to pay gratuity amount alongwith interest.

2. The petitioners are claiming that they are former employees of respondents No.3 and 5. They approached Controlling Authority seeking direction to respondent to release gratuity. The Controlling Authority decided the issue in their favour. The respondent preferred appeal before Appellate Authority which came to be dismissed. The respondent further unsuccessfully preferred writ petition before this Court which was followed by LPA. The respondent dragged the matter to the

Supreme Court. Hon'ble Supreme Court vide order dated 23.02.2015 dismissed their SLP.

4. Learned counsel for the petitioner submits that a period of 10 years from the date of dismissal of SLP has passed away still respondent has not released gratuity as ordered by Controlling Authority. The respondents may be directed to comply with order of Controlling Authority which stands upheld up to Hon'ble Supreme Court.

5. The claim of petitioners is pending before Deputy Commissioner, Gurugram. Any order of this Court to the respondent to comply with orders of Controlling Authority would amount to acting as Executing Court. This Court while exercising power under Article 226 cannot act as Executing Court especially for the purpose of execution of orders passed by statutory authorities. The petitioners are already pursuing their remedies before Deputy Commissioner, Gurugram. This Court is sanguine of the fact that jurisdictional Deputy Commissioner would proceed with the matter in accordance with law.

6. Disposed of.

(JAGMOHAN BANSAL)
JUDGE

29.05.2025

Prince Chawla

Whether Speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No