

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8669 of 2026

=====

Manoj Kumar Singh Son of late Shri Sheo Daresh Singh, Resident of House no.- 255, Ward No.- 37, Bank Colony, Pharmacy College Road, New North Bailey Road, P.O.- Danapur, Rupaspur, District- Patna, Bihar- 801503.

... .. Petitioner/s

Versus

1. Punjab National Bank through its Managing Director and Chief Executive Officer, Corporate Office, Plot No 4, Sector 10, Dwarka New Delhi-110075.
2. The Chief General Manager, Human Resource Development Department, Punjab National Bank, Corporate Office, Plot No. 04, Sector-10, Dwarka, New Delhi 110075.
3. The Branch Manager, Punjab National Bank, Branch Office Saguna More, Ram Jaipal Nagar Road, Rupaspur, P.O.- Danapur, Patna - 801503.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Prince Kumar Mishra, Advocate
For the PNB	:	Mr.Suryakant Kumar, Advocate
		Ms. Anjali Kumari, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 27-07-2026 Heard learned counsel appearing on behalf of the

petitioner and learned counsel for the respondents.

2. The petitioner in paragraph no. 1 of the present writ petition has sought, *inter alia*, the following relief(s), which is reproduced hereinafter:-

“(a) For issuance of an appropriate writ/writs in the nature of mandamus, commanding and directing upon the respondent- Bank authorities to forthwith recalculate and pay to the petitioner the correct amount of gratuity by including Dearness Allowance (DA), DA on Fixed Personal Pay (FPP DA), Special Allowance,



Learning Allowance and all other universally, necessarily and ordinarily paid emoluments forming part of "basic wages/pay", for the purpose of gratuity computation under the Punjab National Bank (Officers' Service) Regulations, 1979, and consequently to pay to the petitioner the differential gratuity amount of Rs. 13,32,114.48 Rupees Thirteen Lakh Thirty Two Thousand One Hundred Fourteen and Paise Forty Eight only), or such other higher/ascertained sum as this Hon'ble Court may determine, together with statutory interest from 01.02.2022 till the date of actual payment.

b) For holding and declaring that the action and practice of the respondent- Bank authorities, in excluding DA, Special Allowance, Learning Allowance and similar universally, necessarily and ordinarily paid emoluments from the computation of gratuity under the Punjab National Bank (Officers' Service) Regulations, 1979, as being arbitrary, illegal, and contrary to binding judicial precedents, and further directing the respondents to extend the benefit of correct gratuity computation to all similarly situated retired officers of Punjab National Bank.

c) For issuance of a writ in the nature of mandamus, directing and commanding upon the respondent-Bank authorities to strictly apply Regulation 46(2) read with Regulation 3(k) of the Punjab National Bank (Officers Service) Regulations, 1979, in their proper and lawful interpretation, by reckoning "basic wages/pay" for gratuity purposes so as to include DA and other universally, necessarily and ordinarily paid emoluments, in conformity with the law laid down inter alia by the Hon'ble Supreme Court in Regional Provident Fund Commissioner (III, W.B. v. Vivekanand Vidya Mandir & Ors., Civil Appeal No. 6221 of 2011, and by various High Courts in analogous matters.

d) For issuance of any other relief/reliefs which is/are essential in the eye of law and in the facts and circumstances of this case as well as in the interest of justice, including but not limited to issuance of consequential directions to the respondent-Bank authorities to frame and implement appropriate guidelines/circulars ensuring correct computation of gratuity for all retired officers in accordance with the binding judicial precedents referred to in this writ petition

e) Cost of Litigation."

3. Learned counsel appearing on behalf of the petitioner informs this Court that the petitioner has already filed a comprehensive representation before the respondent no.2, the



Chief General Manager, Human Resource Development Department, Punjab National Bank, Corporate Office, Dwarka, New Delhi to consider the entitlement of gratuity to the petitioner. He further submitted that the pension is not a bounty rather is the property, as defined under Article 300 A of the Constitution of India. In this regard, learned counsel has placed reliance upon judgment of the Apex Court in cases of ***D.S. Nakara & Others Vs. Union of India*** reported in ***(1983) 1 SCC 305*** and ***State of Jharkhand & Ors. Vs. Jitendra Kumar Srivastava & Anr.***, reported in ***AIR 2013 SC 3383***. Similar view has been taken by different High Courts, throughout the country and some of the judgments, as contained in Annexure P/3, the petitioner has brought on record along with the present writ petition.

4. Considering the aforesaid submissions made on behalf of the petitioner, the respondent no.2 is directed to call upon the service particulars of the petitioner and forthwith take steps to consider the grievance of the petitioner, as prayed for in the present writ petition, and make payment of admitted dues in accordance with law within a period of six weeks from the date of communication of this order.

5. In case of failure, the petitioner is at liberty to take



appropriate action against the concerned respondents.

6. The writ petition stands disposed of.

(Purnendu Singh, J)

Sanjay/-

U			
---	--	--	--

