



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

CWP-7577-2023 (O&M)

Date of Decision : 19.03.2026

ROXANA MARKS AND OTHERS

.....Petitioners

VERSUS

DISTRICT COLLECTOR, BHIWANI AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Palak Arora, Advocate for
Mr. S.K.Arora, Advocate,
for the petitioners.

Mr. Bhupender Singh, Addl.AG, Haryana.

Mr. D.S.Adlakha, Advocate,
for respondents no.2 and 3.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, as cast under Article 226/227 of the Constitution of India, a prayer is made for issuance of a direction upon District Collector, Bhiwani (respondent no.1), to recover the decreetal amount alongwith interest.

2. The petitioners, herein, are armed with the order passed by the authorities under the Payment of Gratuity Act, 1952, which was passed way back in the year 2021. Since no effective action was taken by respondent no.1, to get the assessed amount, the petitioners have filed the instant petition, seeking *mandamus* upon him/her.

3. This Court vide order dated 09.01.2026, had passed the hereinafter extracted order:-

“1. The order dated 30.08.2022, wherein becomes enclosed directions to the District Collector, Bhiwani, to recover the amount of gratuity, has not been complied with.

2. A perusal of the reply, as filed on behalf of the District Collector, Bhiwani, reveals that no efforts have been made to recover the amount, and on the statement of the school authorities, no further proceedings required to recover the amount as arrears of land revenue have been undertaken.

3. Let the District Collector-cum-Deputy Commissioner, Bhiwani, after examining the entire record, file his personal affidavit disclosing why the order dated 30.08.2022 has not yet been complied with. In case, this Court finds that adequate measures, as required under law to recover the amount, have not been undertaken, appropriate action shall be taken against the errant authorities.

4. List on 17.03.2026, in the urgent list.

5. It is made clear that, on the subsequent date of hearing, no request for adjournment would be entertained on behalf of either side, except for strong and compelling reasons.”

4. It is informed to this Court, as has been recorded in order dated 17.03.2026, that during the pendency of the instant petition, the principal assessed amount alongwith interest, as awarded, on account of gratuity, has already been paid to the petitioner.

5. Learned counsel appearing on behalf of respondents no.2 and 3, informs this Court, that on 09.03.2026, after receipt of the amount, the petitioners have given an undertaking to the effect that they are satisfied with the amount as has been transferred in the bank account. The said undertakings are taken on record as Mark 'A'.

6. On the other hand, learned counsel for the petitioners submits that now the grievance of the petitioners is that, the interest on account of delayed payment, has not been paid to them.

7. Since payment of principal amount, and interest assessed thereon, has already been paid to the petitioners, this Court is of the considered view that no further direction is required to be passed in the instant matter. However, in case the petitioners have any grievance with regard interest on the delayed payment, they are at liberty to move an apt application before the competent authority, firstly to establish their right and then the assessment of amount.

8. In case such application is filed, the competent authority concerned, shall decide the same, in accordance with law.

9. **Disposed of** accordingly.

March 19, 2026
dharamvir

(KULDEEP TIWARI)
JUDGE

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