



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

CWP-2855-2016 (O&M)

Date of decision: 24.02.2026

Partap Public School

....Petitioner

Versus

Suraksha and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Diwan S. Adlakha, Advocate,
for the petitioner.

Mr. Gurinder Singh Dhillon, Advocate,
for respondent No.1.

KULDEEP TIWARI, J. (Oral)

1. Through the instant writ petition, as cast under Articles 226/227 of the Constitution of India, challenge is thrown to the order dated 28.10.2015 (Annexure P-2), passed by the learned Appellate Authority, under the Payment of Gratuity Act-respondent No.2, vide which, the appeal preferred by the petitioner-School against the order dated 22.05.2015 (Annexure P-1), fastening liability upon it, to pay the requisite amount of gratuity to respondent No.1, has been dismissed.

2. The sole basis to challenge the orders (supra), is that, validity of the amendment dated 31.12.2009, has been put to challenge before the Hon'ble Supreme Court in a bunch of cases, lead case being **SLP No.10724/2012 (Independent School Federation of India Vs. Union of India)**, and till decision thereof, the petitioner-School ought not to have been burdened with a huge financial implication. Accordingly, a



Coordinate Bench of this Court, vide order dated 12.02.2016, had admitted the petition.

3. Whereafter, respondent No.1, who was engaged as a teacher with the petitioner-School, moved an application vide CM-17848-CWP-2025, praying for disposal of the instant writ petition, in terms of the decision dated 29.08.2022, rendered in the **SLP (supra)**. In this regard, learned counsel for respondent No.1, submits that the amendment in question has since been declared legal, therefore, the petition is liable to be dismissed.

4. Upon being pointedly asked, learned counsel for the petitioner is unable to refute the abovesaid factual position.

5. In view of the conceded position, this Court is not required to delve any further into the matter. Accordingly, the instant writ petition is **dismissed**.

(KULDEEP TIWARI)
JUDGE

24.02.2026
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No