

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

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CWP-2387-1998 (O&M)

Decided on :24.03.2025

MANAGEMENT DEVELOPMENT INSTITUTE & ORS

. .petitioners

Versus

UNION OF INDIA & ORS

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Ms. Archana Yadav, Advocate for
Mr. Arsh Bir, Advocate for the petitioner
Appeared through VC.

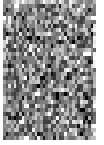
Mr. Piyush Khanna, Advocate for respondents No. 1 to 3.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, the challenge is to the order dated 19.11.1997 passed by the authority concerned under the Payment of Gratuity Act 1972 (in short ' the 1972 Act'), copy of which have been appended as Annexures P-14 and Annexure P-22.

2. Learned counsel for the petitioners submits that keeping in view the interim order dated 23.02.2001 passed by the Co-ordinate Bench of this Court, the amount of gratuity had already been deposited with the authorities concerned, which has been withdrawn by respondent-workman.

3. Keeping in view the fact that only dispute which is being raised in the present petition is whether the petitioner is a Government Institution or a private institution, the same will not prima facie make any difference with regard to the claim raised for the grant of payment of gratuity under the 1972 Act in case, the petitioners is covered under the definition as envisaged under Section 2 (f) of the 1972 Act.

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4. Even otherwise, the petition was filed 27 years ago and the benefits of gratuity has already been received by the respondent-workman and the same cannot be taken back at this stage, **hence, no further order is required to be passed in the facts and circumstances of the present case and the present petition is disposed of by keeping the question of law open.**

5. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

24.03.2025

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