



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

Date of Decision: 16.09.2025

1. LPA No.1776 of 2025 (O&M)
PUNJAB MANDI BOARD & ANOTHERAppellants
Versus
GURCHARAN SINGH & OTHERSRespondents

2. LPA No.1777 of 2025 (O&M)
PUNJAB MANDI BOARD & ANOTHERAppellants
Versus
ROOP SINGH & OTHERSRespondents

3. LPA No.1778 of 2025 (O&M)
PUNJAB MANDI BOARD & ANOTHERAppellants
Versus
MEGH NATH SHARMA & OTHERSRespondents

4. LPA No.1781 of 2025 (O&M)
PUNJAB MANDI BOARD & ANOTHERAppellants
Versus
RATTAN LAL & OTHERSRespondents

5. LPA No.1782 of 2025 (O&M)
PUNJAB MANDI BOARD & ANOTHERAppellants
Versus
SUKHDEV SINGH & OTHERSRespondents



6. LPA No.1783 of 2025 (O&M)
PUNJAB MANDI BOARD & ANOTHERAppellants
Versus
JASDEV SINGH & OTHERS
.....Respondents

7. LPA No.1784 of 2025 (O&M)
PUNJAB MANDI BOARD & ANOTHERAppellants
Versus
AVTAR SINGH (SINCE DECEASED) THROUGH HIS LRS & OTHERS
.....Respondents

8. LPA No.1785 of 2025 (O&M)
PUNJAB MANDI BOARD & ANOTHERAppellants
Versus
NACHHATTAR SINGH & OTHERSRespondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Sanjeev Sharma, Advocate,
for the appellants.

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ANUPINDER SINGH GREWAL, J. (Oral)

CM-4347-LPA-2025 in LPA-1777-2025
CM-4349-LPA-2025 in LPA-1778-2025
CM-4357-LPA-2025 in LPA-1781-2025
CM-4359-LPA-2025 in LPA-1782-2025
CM-4361-LPA-2025 in LPA-1783-2025
CM-4363-LPA-2025 in LPA-1784-2025
CM-4365-LPA-2025 in LPA-1785-2025

These are applications seeking condonation of delay in filing
the appeal(s).

Issue notice to the respondents.



Mr. Kinshu Mittal, Advocate, accepts notice on behalf of respondent No.1 in all eight appeals and submits that he has no objection if the delay is condoned.

In view of the above, the applications are allowed and delay in filing the appeal(s) is condoned.

Main Appeals

As common questions of law and facts are involved in the aforesaid eight appeals, they are being disposed of by this common judgment. For reference, facts are being taken from LPA No.1776 of 2025.

2. The appellants have challenged the judgment of learned Single Bench dated 17.02.2025, whereby the writ petition(s) preferred by the appellants challenging the orders dated 28.08.2023 (Annexure P-4) and 08.08.2024 (Annexure P-6) passed by the Controlling Authority and Appellate Authority respectively, holding that the private respondents-employees were entitled to gratuity under the Payment of Gratuity Act, 1972 (hereinafter referred to as the Act of 1972), has been dismissed.

3. Learned counsel for the appellant-Punjab Mandi Board submits that once the employees had claimed the pensionary benefits under the Punjab Civil Service Rules, they could not have turned around and sought the benefits under the Act of 1972. He further submits that in any event even if the gratuity is directed to be paid to the employees under the Act of 1972, they would not be entitled to any interest thereon, as the delay is attributable to the respondent(s). He also submits that in terms of Section 5, the appellants have sought exemption from the applicability of the Act of 1972



and their case is under consideration of the State Government.

4. Learned counsel for the private respondents submits that in terms of the judgment passed by the learned Single Bench, the gratuity along with interest has been paid to them.

5. Heard.

6. The private respondents were employed with the appellants. It is not in dispute that they had filed a civil suit seeking pensionary benefits under the Punjab Civil Service Rules, which was allowed. However, when they realised that they would be getting a higher amount under the Act of 1972, they sought payment of gratuity thereunder.

7. We are in agreement with the judgment of learned Single Bench that as the appellants have not been exempted by the Government from the applicability of the Act in terms of Section 5 of the Act of 1972, therefore, the private respondents cannot be denied of their right to gratuity under the Act of 1972 merely on the ground that the appellants have adopted the Punjab Civil Service Rules for calculating the pensionary benefits. The private respondents were, therefore, entitled to claim the benefit of gratuity under the Act of 1972, which is a beneficial legislation to provide security to the retiring employees in lieu of the services rendered by them. The private respondents have rendered over 30 years of service. The gratuity ought to have been released to them at the time of their superannuation and in the event, the gratuity is released after some time the private respondents would be entitled to the interest accruing thereon.



8. In view of the above, we do not find any illegality in the impugned judgment of the learned Single Bench dismissing the writ petition(s) preferred by the appellants directing the payment of gratuity under the Act of 1972 along with interest accruing thereon. Consequently, all the Letters Patent Appeal(s) being devoid of any merit stand dismissed.

9. All pending miscellaneous application(s) also stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

16.09.2025
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No