



CWP-12648-2014 & connected cases 1

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

**(235) CWP-12648-2014
Date of Decision : January 14, 2025**

**Haryana State Minor Irrigation and Tubewells Corporation Ltd
.. Petitioner**

Versus

Tek Chand and others .. Respondents

(2) CWP-9272-2015

**Haryana State Minor Irrigation and Tubewells Corporation Ltd
through its Personnel Officer
.. Petitioner**

Versus

Nanha Ram and others .. Respondents

(3) CWP-9273-2015

**Haryana State Minor Irrigation and Tubewells Corporation Ltd
through its Personnel Officer
.. Petitioner**

Versus

Sukhbir Singh Rohila and others .. Respondents

(4) CWP-9777-2015

**Haryana State Minor Irrigation and Tubewells Corporation Ltd
through its Personnel Officer
.. Petitioner**

Versus

Dharam Singh and others .. Respondents

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3. It may be noticed that the respondent-employees had worked with the petitioner-Corporation and after the respondent-employees became surplus or the petitioner-Corporation was wound up, the issue of the payment of gratuity arose and as the petitioner-Corporation did not pay the gratuity to the respondent-employees concerned, they availed appropriate remedy as envisaged under the Payment of Gratuity Act, 1972.

4. After conducting an enquiry into the entitlement of the respondent-employees qua the payment of gratuity at the hands of the petitioner-Corporation, appropriate authority has already passed an orders fixing the liability of the petitioner-Corporation to pay gratuity to the respondent-employees keeping in view the period the employee concerned had worked with the petitioner-Corporation.

5. Learned counsel appearing on behalf of the petitioner-Corporation submits that there were certain recoveries which were required to be done from the respondent-employees, which should have been allowed to be done from the gratuity of the respondent-employees concerned.

6. On being asked to point out what recoveries were to be effected from the respondent-employees and whether, such recovery was calculated after giving due opportunity to defend to the employee concerned, no such order or the fact has been brought to the notice of this Court.

7. On being asked to point out the perversity in the order passed by the authorities concerned under the Payment of Gratuity Act, learned counsel for the petitioner-Corporation has not been able to point out any perversity in the orders that the same is either against the settled principle of law or against the provisions of the Payment of Gratuity Act, 1972.

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8. In the absence of any perversity being pointed out, this Court will not sit as an Appellate Authority to minutely recalculate the entitlement of the respondents employees especially when the same has already been done in the enquiry conducted by the appropriate authority under the Payment of Gratuity Act, 1972.

9. Keeping in view the above, as no perversity in the orders passed by the authority under the Payment of Gratuity Act, 1972 has been pointed out and all the orders have already been complied with since long, no interference is called for in the present bunch of petitions and the same are accordingly dismissed.

10. A photocopy of this order be placed on the files of other connected cases.

January 14, 2025
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No