

27.02.2026 Present: Mr. Daleep Singh Kaith, Advocate for the petitioner.

Mr. R.P. Singh, Deputy Advocate General for respondents-State.

Mr. Vijay Kumar Arora, Senior Advocate with Mr. Gaurav Kumar and Hitansh Raj, Advocate for respondents No. 2 and 3.

The petitioners before this Court are the former employees of the Himachal Pradesh State Forest Development Corporation, who have retired from the Corporation post 01.01.2016 and before 28th March, 2018. Their grievance is that the arrears of payment of gratuity in terms of Annexure P-2, dated 29.09.2022, i.e. revised gratuity is not being released to them, though the revised gratuity has been released in favour of those employees who have superannuated after 28.03.2018.

Learned Counsel for the petitioners submitted that the gratuity stands enhanced from Rs.10.00 Lac to Rs. 20.00 Lac and as the petitioners have superannuated after 01.01.2016, they are entitled for the revised gratuity in terms of Annexure P-2, dated 29.09.2022 but the same is being arbitrarily denied to the petitioners.

The factum of the revised gratuity having been released in favour of the retirees who superannuated post 28.03.2018 has not been disputed by learned Senior Counsel for the respondent-Corporation, however, he submitted that as far as the petitioners are

concerned because they superannuated before 28.03.2018, therefore, they are not entitled to the enhanced gratuity.

This Court is of the considered view that Annexure P-2 i.e. communication dated 29.09.2022, is self speaking that retirees post 2016 are also entitled to the revised gratuity and denial thereof to those who superannuated after 01.01.2016 and before 28.03.2018 on the face of it is arbitrary and discriminatory.

At this stage, learned Senior Counsel for the respondent-Corporation submits that he may be granted some time to have instructions from the Corporation in light of the observations that have been made by the Court.

List on 23.03.2026. Necessary instructions be obtained by learned Senior Counsel for the respondent-corporation in the meanwhile.

(Ajay Mohan Goel)
Judge

February 27, 2026
(narender)