

Jai Singh Verma and Ors. v. State of Himachal Pradesh and Ors.

CWP No. 1979 of 2024

04.4.2025 Present: Mr. Daleep Singh Kaith, Advocate, for the petitioners.

Mr. Rajan Kahol, Mr. Vishal Panwar and Mr. B.C. Verma, Additional Advocates General with Mr. Ravi Chauhan, Deputy Advocate General, for respondent No.1/State.

Mr. Vijay K. Arora, Senior Advocate with Ms. Godawari, Mr. Gaurav Kumar, Ms. Lalita Sharma, Mr. Hitansh Raj and Ms. Aastha Kohli, Advocates, for respondents No.2 and 3.

While placing on record communication dated 20.3.2025, issued under the signature of Managing Director of Respondent-Corporation, Mr. Vijay K. Arora, learned Senior Counsel appearing for respondents No. 2 and 3 states that issue with regard to payment of enhanced gratuity to the employees, who have retired from 1.1.2016 to 28.3.2018, stands referred to Service Committee, but till date, no final decision has been taken. Though having perused aforesaid communication, this court finds that Service Committee comprising of Secretary (Finance), Secretary (Forests) and Managing Director, decided to refer the case to the Finance Department through Administrative Department on departmental file and Finance Department taking note of the fact that HPSFDCL is a non-pensionable establishment and employees of the said organization are governed by the Employees Provident Fund and Miscellaneous Provisions Act 1952, found decision of the Board of Directors to enhance the maximum limit of gratuity from Rs. 10.00lakh to 20.00 lakh

w.e.f. 1.1.2016, to be incorrect and accordingly, directed the Corporation to consider the matter to enhance the gratuity limit as per the Payment of Gratuity Act 1972 as they have done in the previous years, but there is nothing to infer from the aforesaid communication that final decision in that regard, if any, has been taken by the Service Committee.

Let Managing Director (Forest Development Corporation) file supplementary affidavit within three weeks, detailing therein decision, if any, taken by the Service Committee.

List on 13.5.2025.

April 4, 2025
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(Sandeep Sharma),
Judge