



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.16054 of 2026

Date of decision: 16.09.2026

Raj Kumar.

...Petitioner.

Versus

H.P.T.D.C. & Ors.

...Respondents.

Coram:

Ms. Justice Jyotsna Rewal Dua.

Whether approved for reporting?¹

For the petitioner : Mr. Ajay Kumar Chauhan,
Advocate.

For the respondents : Mr. Shivank S. Panta, Advocate.

Jyotsna Rewal Dua, Judge

Notice. Mr. Shivank S. Panta, Advocate, appears
and waives service of notice on behalf of the respondents.

2. This writ petition has been filed praying for
following substantive relief:-

“i) Issue a Writ of Mandamus directing the respondents to release/pay the balance revised gratuity amount of Rs. 3,33,944/ (Rupees three lac thirty-three thousand nine hundred forty-four only) in favour of the petitioner, along with interest as admissible under Section 7(3-A) of the Payment of Gratuity Act, 1972, from the date the same became due till the date of actual payment in the interest of justice and fair play.”



2. The case of the petitioner is that he retired from service on 30.04.2023; under Office order dated 27.07.2023 (Annexure P-1) total gratuity due to the petitioner has been calculated as Rs.13,33,944/-, however the sanction has been accorded by the respondents to grant the petitioner retirement gratuity amounting to Rs.10,00,000/- only.

3. Learned counsel for the petitioner pointed out office memorandum dated 25th February, 2022, more particularly para 6.2 thereof which reads as under:-

“6.2 The maximum limit of retirement gratuity and death gratuity is enhanced from Rs.10 lakh to Rs.20 lakh. The revised rates of retirement gratuity and death gratuity shall be admissible w.e.f. 01.01.2016. The first proviso under Rule 50 (1) (b) of CCS (Pension) Rules, 1972 shall stand modified to this extent.”

In the above background, learned counsel for the petitioner submitted that the case of the petitioner for grant of relief prayed by him is squarely covered under the judgments rendered in **Anil Kumar Goel vs. The Himachal Pradesh Tourism Development and Anr.**² and in **Mudit Kumar vs. H.P.T.D.C**³ along with connected matters, wherein directions have been issued to pay gratuity in terms

² CWP No.6628/2021 decided on 24.02.2022

³ CWP No. 2740/2022 decided on 30.12.2022



of revised rules. Learned counsel for the petitioner submitted that the petitioner would be content in case a direction is issued to the respondents/competent authority to consider and decide the case of the petitioner for redressal of grievances raised by him in the instant petition in light of the aforesaid judgments within a time bound schedule.

4. The prayer is not opposed by the learned counsel for the respondents.

Having regard with the submissions made by learned counsel for the parties, but without examining the merits of the matter, this writ petition is disposed of by directing the respondents/competent authority to decide the case of the petitioner for the reliefs prayed for by him in light of the aforesaid judgments in accordance with law. This entire exercise shall be carried out within six weeks from today. Copy of the decision so taken be also communicated to the petitioner.

Pending miscellaneous application(s), if any, also to stand disposed of.

September 16, 2026
(R.Atal)

Jyotsna Rewal Dua
Judge



2026:HHC:39461