

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Order: June 01, 2018

+ W.P.(C) 6423/2018

LAXMIKANT SHARMA AND ORS. .... Petitioners  
Through : Mr. R. S. Mishra and Mr. A. K.  
Pandey, Advocates

versus

UNION OF INDIA AND ORS. .... Respondents  
Through : Mr. Vikram Jetly, CGSC for R-1-  
4/IOI,  
Mr. H. S. Parihar & Mr. K. S.  
Parihar, Advocates for R-6/RBI.  
Mr. V. Sudeer and Mr. M. Chandra  
Sekhar, Advocates for R-5.

**CORAM:**  
**HON'BLE MR. JUSTICE SUNIL GAUR**

**ORDER**  
**(ORAL)**

1. Petitioners' Representations seeking the benefit of enhanced gratuity limit from ₹10 lacs to ₹20 lacs w.e.f. 1<sup>st</sup> January, 2016 stand declined vide impugned order of 7<sup>th</sup> May, 2018 [Annexure P-3 (Colly)], while noting that the enhancement of ceiling limit of the gratuity amount shall be payable w.e.f. 29<sup>th</sup> March, 2018. In the Representations [Annexure P-2 (Colly)], petitioners had relied upon Office Memorandum of 4<sup>th</sup> August, 2016 (Annexure P-1) which grants similar benefit to Government servants w.e.f. 1<sup>st</sup> January, 2016.

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2. Learned counsel for petitioners submits that even *Reserve Bank of India* has granted the benefit of enhanced ceiling limit of gratuity to its employees.

3. Upon hearing, I find that impugned order of 7<sup>th</sup> May, 2018 [(Annexure P-3 (colly.))] needs to be re-considered as petitioners' plea based on Government of India's Office Memorandum of 4<sup>th</sup> August, 2016 (Annexure P-1) was specifically taken in the Representation, has not been considered in the impugned order.

4. In light of the aforesaid, this petition is disposed of with direction to fifth respondent to re-consider petitioners' Representation [Annexure P-2 (colly.)] and a speaking response thereto be given within a period of six weeks and the fate of Representation [Annexure P-2 (colly.)] be made known to petitioners within two weeks thereafter, so that petitioners may avail of the remedies as available in law, if need be.

5. With the aforesaid direction, this petition is disposed of.

Copy of this order be given *dasti* to learned counsel for the parties.

(SUNIL GAUR)  
JUDGE

JUNE 01, 2018  
SRwt