



CGHC010244962026



2026:CGHC:43927

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5151 of 2026

1 - Smt. Lalita Yadav W/o Hublal Yadav Aged About 65 Years R/o Village Parastarai, Post Arjunda, Tehsil Gunderdehi District Balod C.G.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya Atal Nagar New Raipur, District Raipur C.G.

2 - The Collector, Office Of Collectorate, Balod District Balod C.G.

3 - The Block Education Officer, Office Of D E O Balod, District Balod C.G.

4 - The Block Education Officer, Office Of B E O Gunderdehi, District Balod C.G.

5 - The Principal Government Higher Secondary School Rana Khuji, District Balod C.G.

... Respondent(s)

For Petitioner(s)	:	Mr. Santosh Bharat, Advocate
For Respondents/State	:	Mr. Gary Mukhopadhyay, Addl. Advocate General assisted by Ms. Apoorva Nigam, PL

(Hon'ble Mr. Justice Ravindra Kumar Agrawal)

Order on Board

09/10/2026

1. The grievance raised by the petitioner in the instant writ petition is that respondent No. 2, the Collector, has failed to take effective steps for recovery of the amount of gratuity determined by the Controlling Authority under the Payment of Gratuity Act, 1972 (hereinafter referred to as "the Act of 1972"), despite issuance of a communication dated 17.11.2025 by the Controlling Authority under Section 8 of the said Act.

2. Learned counsel appearing for the petitioner would submit that the petitioner retired from the post of Assistant Lecturer (LB), Government Higher Secondary School, Rana Khuji, District Balod. As the gratuity payable to the petitioner was not released, the petitioner approached the Controlling Authority under the Act of 1972. By order dated 17.11.2025, the Controlling Authority determined the amount of gratuity payable to the petitioner at ₹11,10,635/-. Upon addition of interest, the total amount payable was assessed at ₹13,32,762/-, with a direction to deposit the same within a period of thirty days. Since the amount determined by the Controlling Authority was not deposited within the stipulated period, proceedings under Section 8 of the Act of 1972 were initiated, and a communication dated 11.02.2026 was

addressed to respondent No. 5 for recovery of the amount of gratuity as arrears of land revenue.

It is further submitted that, despite the lapse of a considerable period, respondent No. 2 has not taken any effective steps to ensure compliance with the direction issued by the Controlling Authority. In these circumstances, learned counsel for the petitioner prays that respondent No. 2 may be directed to take appropriate and effective steps for recovery of the aforesaid amount of gratuity within a time-bound period.

3. Per contra, learned State counsel submits that since the Controlling Authority has already initiated proceedings under Section 8 of the Act of 1972 and has addressed a communication dated 11.02.2026 to respondent No. 5, appropriate steps for recovery of the amount shall be taken in accordance with law.

4. I have heard learned counsel appearing for the parties and perused the documents placed on record along with the writ petition.

5. Having considered the facts and circumstances of the case, the order dated 17.11.2025 passed by the Controlling Authority under the Act of 1972, the subsequent communication dated 11.02.2026 issued under Section 8 of the said Act, and the submissions advanced on behalf of the petitioner regarding the absence of effective steps for recovery of the amount determined by the Controlling Authority, this Court is of the view that the grievance raised by the petitioner warrants appropriate consideration for expeditious compliance with the order

passed by the Controlling Authority.

6. Accordingly, the writ petition is disposed of with a direction to respondent No. 2 to take necessary and effective steps, in accordance with law, for recovery of the amount of gratuity determined by the Controlling Authority under Section 8 of the Act of 1972, expeditiously and, preferably, within a period of five months from the date of receipt of a copy of this order.

6. A certified copy of this order shall be issued in accordance with the Rules.

Sd/-

(Ravindra Kumar Agrawal)
Judge

SUGUNA
DUBEY

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