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HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6850 of 2026**

Sukhram Vishwakarma S/o Late Shri Salikram Vishwakarma Aged
About 70 Years R/o Village Pendri, Post Masturi, Tehsil Masturi, District
Bilaspur (C.G.)

--- Petitioner**versus**

1 - State Of Chhattisgarh Through Secretary, Department Of Water
Resource Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur
(C.G.)

2 - Engineer In Chief Water Resources Department, Shivnath Bhawan
New Raipur, District Raipur (C.G.)

3 - Chief Engineer Minimata (Hasdeo) Bango Pariyojana Bilaspur,
District Bilaspur (C.G.)

4 - Superintendent Engineer Water Resources Department Circle,
Bilaspur, District Bilaspur (C.G.)

5 - Executive Engineer Hasdeo Canal Water Management Division
Janjgir, District Janjgir-Champa (C.G.)

6 - Joint Director Treasury, Account And Pension, Bilaspur, District Bilaspur (C.G.)

7 - Collector District Janjgir-Champa (C.G.)

--- Respondent(s)

WPS No. 7317 of 2026

Narendra Singh Kaushik S/o Late Shri Mohit Ram Kaushik Aged About 64 Years R/o Village Khod Post Katnai Tehsil Akaltara, Distt- Janjgir-Champa (C.G.)

---Petitioner

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of Water Resource Mahanadi Bhawan, Mantralaya, Naya Raipur, Distt- Raipur (C.G.)

2 - Engineer In Chief, Water Resources Department, Shivnath Bhawan New Raipur, District Raipur (C.G.)

3 - Chief Engineer, Minimata (Hasdeo) Bango Pariyojana, Bilaspur, District Bilaspur (C.G.)

4 - Superitendent Engineer, Water Resources Department Circle, Bilaspur, District Bilaspur, (C.G.)

5 - Executive Engineer Hasdeo Canal Water Management Division Janjgir, District Janjgir-Champa (C.G.)

6 - Joint Director, Treasury, Account And Pension, Bilaspur, District - Bilaspur (C.G.)

7 - Collector, District Janjgir-Champa (C.G.)

--- Respondent(s)

WPS No. 6948 of 2026

Ramnath Ratre S/o Late Shri Aasan Ratre, Aged About 68 Years R/o Village Suwarmal, Mahamaya Chowk (Wrongly Mentioned As Village Supermal, In Order Dated 12-11-2025 And Sormal In Application Dated 15-12-2025), Tehsil Akaltara, District Janjgir - Chama, (C.G.) ,

---Petitioner

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of Water Resource Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)

2 - Engineer In Chief, Water Resources Department, Shivnath Bhawan New Raipur, District Raipur (C.G.)

3 - Chief Engineer Minimata (Hasdeo) Bango Pariyojana, Bilaspur, District Bilaspur, (C.G.)

4 - Superintendent Engineer, Water Resources Department Circle, Bilaspur, District Bilaspur, (C.G.)

5 - Executive Engineer Hasdeo Canal Water Management Division Janjgir, District Janjgir - Champa, (C.G.)

6 - Joint Director, Treasury, Account And Pension, Bilaspur, District Bilaspur (C.G.)

7 - Collector, District Janjgir - Champa (C.G.)

--- Respondent(s)

WPS No. 6871 of 2026

Jaiprakash Upadhyay S/o Late Dwarika Prasad Upadhyay Aged About 70 Years R/o Village And Post Tilai, Tehsil Akaltara, Distt. Janjgir Champa, Chhattisgarh.

---Petitioner

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of Water Resource Mahanadi Bhawan, Mantralaya, Naya Raipur, Distt. Raipur, Chhattisgarh.

2 - Engineer In Chief Water Resources Department, Shivnath Bhawan New Raipur, Distt. Raipur, Chhattisgarh.

3 - Chief Engineer Minimata (Hasdeo) Bango Pariyojana, Bilaspur, Distt. Bilaspur, Chhattisgarh.

4 - Superintendent Engineer Water Resources Department Circle, Bilaspur, Distt. Bilaspur, Chhattisgarh.

5 - Executive Engineer Hasdeo Canal Water Management Division Janjgir, Distt. Janjgir Champa, Chhattisgarh.

6 - Joint Director Treasury, Account And Pension, Bilaspur, Distt. Bilaspur, Chhattisgarh.

7 - Collector District Janjgir Champa, Chhattisgarh.

--- Respondent(s)

WPS No. 6869 of 2026

Mohit Ram Sahu S/o Late Shri Bachchu Ram Sahu, Aged About 73 Years R/o Village And Post Katnai, Tehsil Akaltara, District Janjgir - Champa (C.G.)

---Petitioner

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of Water Resource Mahanadi Bhawan, Mahatralaya, Naya Raipur District Raipur (C.G.)

2 - Engineer In Chief, Water Resources Department Shivnath Bhawan New Raipur District Raipur (C.G.)

3 - Chief Engineer Minimata (Hasdeo) Bango Priyojana, Bilaspur District Bilaspur (C.G.)

4 - Superintendent Engineer, Water Resources Department Circle, Bilaspur District Bilaspur (C.G.)

5 - Executive Engineer Hasdeo Canal Water Management Division Janjgir, District Janjgir-Champa (C.G.)

6 - Joint Director, Treasury, Account And Pension, Bilaspur District Bilaspur (C.G.)

7 - Collector, District Janjgir - Champa (C.G.)

--- Respondent(s)

WPS No. 6855 of 2026

Shatruhan Prasad Kaushik S/o Late Shri Dev Prasad, Aged About 72 Years R/o Village Mauhadih, Post Kapan, Tehsil Akaltara, District Janjgir-Champa (C.G.)

---Petitioner

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of Water Resouce Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)

2 - Engineer In Chief, Water Resources Department, Shivnath Bhawan New Raipur, District Raipur (C.G.)

3 - Chief Engineer, Minimata (Hasdeo) Bango Pariyojana, Bilaspur, District Bilaspur (C.G.)

4 - Superintendent Engineer, Water Resources Department Circle, Bilaspur, District Bilaspur (C.G.)

5 - Executive Engineer, Hasdeo Canal Water Management Division Janjgir, District Janjgir-Champa (C.G.)

6 - Joint Director, Treasury Account And Pension, Bilaspur, District Bilaspur (C.G.)

7 - Collector, District Janjgir-Champa (C.G.)

--- Respondent(s)

WPS No. 6852 of 2026

Rajkumar Shrivastava S/o Late Shri Baharata Shrivastava Aged About 67 Years
R/o Village And Post Kapan, Tehsil Akaltara, District Janjgir-Champa
Chhattisgarh

---Petitioner

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of Water
Resource Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur
Chhattisgarh

2 - Engineer In Chief Water Resources Department, Shivnath Bhawan
New Raipur, District Raipur Chhattisgarh

3 - Chief Engineer Minimata (Hasdeo) Bango Pariyojana, Bilaspur,
District Bilaspur Chhattisgarh

4 - Superintendent Engineer Water Resources Department Circle,
Bilaspur, District Bilaspur Chhattisgarh

5 - Executive Engineer Hasdeo Canal Water Management Division
Janjgir, District Janjgir-Champa Chhattisgarh

6 - Joint Director Treasury, Account And Pension, Bilaspur, District
Bilaspur Chhattisgarh

7 - Collector District Janjgir-Champa Chhattisgarh

--- Respondents

WPS No. 6851 of 2026

Shatruhan Lal Shrivas S/o Late Churaman Lal Shrivas, Aged About 65 Years R/o- Village Latiya, Post Office And Tehsil Akaltara District Janjgir Champa C. G.

---Petitioner

Versus

1 - State Of Chhattisgarh Through- Secretary, Department Of Water Resource Mahanadi Bhawan Mantralaya, Naya Raipur District Raipur C. G.

2 - Engineer In Chief, Water Resources, Department Shivnath Bhawan New Raipur District Raipur C. G.

3 - Chief Engineer Minimata (Hasdeo) Bango Pariyojana, Bilaspur, District Bilaspur C. G.

4 - Superintendent Engineer Water Resources Department Circle, Bilaspur District Bilaspur C. G.

5 - Executive Engineer Hasdeo Canal Water Management Division Janjgir District Janjgir Champa C. G.

6 - Joint Director, Treasury Account And Pension, Bilaspur District Bilaspur C. G.

7 - Collector, District Janjgir Champa, C. G.

... Respondent(s)

(Cause title is taken from Case Information System)

For Petitioners	: Mr. Jeet Ram Patel, Advocate
For Respondents/ State	: Mr. Vivek Verma, Govt. Advocate, Mr. Soumitra Kesharwani, Ms. Vartika Shrivastava and Ms. Apurva Nigam, Panel Lawyers

Hon'ble Shri Bibhu Datta Guru, Judge**Order on Board****07/10/2026**

1. Since common facts and issues are involved in the present batch of writ petitions, they are being heard and decided by this common order. For the sake of convenience, the pleadings and documents of WPS No. 6850 of 2026 are being referred.
2. By the present writ petitions, the petitioners seek a direction to the respondents authorities to comply with the order dated 12.12.2025 passed by the Controlling Authority under the Payment of Gratuity Act, 1972 (for short, "the Act of 1972") and to disburse the balance unpaid gratuity amount along with applicable statutory interest under Section 7(3)(A) of the Act of 1972.
3. Learned counsel for the petitioners submit that the petitioners were initially appointed on their respective posts in the respondent department and rendered more than three decades of continuous service before retiring on attaining the age of superannuation. Upon retirement, the respondents paid part of the gratuity amount, leaving the balance amount unpaid. He submits that the petitioners, therefore, approached the Controlling Authority under the Payment of Gratuity Act, 1972, which directed the respondents to pay the balance gratuity amount within 30 days, along with statutory interest under Section 7(3)(A) of the Act in case of default. Despite the said orders and the petitioners' subsequent

representations and applications under Section 8 of the Act, the balance gratuity amount has not been paid. Hence, the present petitions have been filed seeking compliance with the orders passed by the Controlling Authority and payment of the balance gratuity amount along with applicable interest.

4. *Per contra*, learned State counsel, by referring to paragraph 6 of the reply, submits that in view of Section 2(e) of the Act of 1972, the definition of “employee” excludes an employee of the Central Government or State Government. Since the petitioners are employees of the State Government, the Act of 1972 would not be applicable to them and, therefore, the orders passed by the Controlling Authority are without jurisdiction. Hence, the present writ petitions seeking execution/compliance of the said orders are not maintainable.
5. I have heard learned counsel for the parties and perused the material available on record.
6. From perusal of the reply filed by the State, it is evident that the provision contained in Section 2(e) of the Act of 1972, excludes an employee of the Central Government or State Government from the definition of “employee”. It is undisputed that the petitioners are employees of the State Government, hence the Controlling Authority has to consider the said issue involving jurisdiction under the Act of 1972 to entertain the claim of the petitioners who are the employees of the State Government.

7. In view of the above, learned State counsel is directed to apprise the concerned authority to consider the applicability of the Act of 1972 and the jurisdiction of the Controlling Authority in respect of the claims of the petitioners, in the light of Section 2(e) of the Act. The Controlling Authority shall consider the submissions of the State as well as the petitioners, after affording due opportunity of hearing to the petitioners, and thereafter pass appropriate orders in accordance with law.
8. Accordingly, all these writ petitions are disposed of with the aforesaid observations and directions.

Sd/-

(Bibhu Datta Guru)
JUDGE

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