

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6576 of 2014

- Raghuvansh Sharma Son of Shri Ganga Sharma, Aged About 60 years
R/o B-214, Urja Nagar, S.E.C.L. Gevra Project, District Korba, Civil &
Revenue District Korba

---- Petitioner

Versus

1. South Eastern Coalfields Limited, Through Its Chairman-Cum-
Managing Director, Seepat Road, Bilaspur
2. The General Manager, Gevra Area, South Eastern Coalfields Ltd,
District Korba
3. The Deputy General Manager (Personnel), Gevra Area, South Eastern
Coalfields Ltd, District Korba

---- Respondents

For Petitioners	:	Shri Yogesh Chandra, Advocate
For Respondents	:	Shri H.B. Agrawal, Sr. Adv. with Ms. Meera Jaiswal, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

10/07/2015

1. This petition has been preferred for a direction to the respondents to disburse the entire amount of gratuity to the petitioner as the same remains unpaid despite lapse of more than 8 months from the date of retirement.
2. Shri Agrawal, learned Sr. Advocate appearing for the respondents would submit that the entire amount has already been deposited before the Assistant Labour Commissioner vide Annexure R-1.
3. It is settled in the matter of ***Gorakhpur University and others vs. Dr. Shitla Prasad Nagendra and others, (2001) 6 SCC 591*** and ***Shyam Singh Rathore vs. Municipal Corporation and others, 2002(4) MPHT 332*** that on account of retention of quarters by the employee, pensionary benefit cannot be withheld.

4. In view of the above, the writ petition is disposed of with a direction to the Assistant Labour Commissioner (Central) Bilaspur to make payment of the entire amount to the petitioner within a period of 15 days from today. The petitioner may move afresh for grant of interest in accordance with law.

Sd/-

JUDGE
(Prashant Kumar Mishra)

Kamde