

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (L) No. 139 of 2016**

- Laxmi Narayan Jaiswal S/o Shri Mahadev Prasad Jaiswal, Aged About 73 Years R/o Chirimiri, District Korea (Chhattisgarh).

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Department Of School, Mantralaya Raipur (Chhattisgarh).
2. Controlling Authority, Payment Of Gratuity Act. 1972, Baikunthpur, District Korea (Chhattisgarh).
3. President, Lahiri Multipurpose Higher Secondary School, Chirimiri, District Korea, (Chhattisgarh).
4. Secretary, Lahiri Multipurpose Higher Secondary School, Chirimiri, District Korea, (Chhattisgarh).
5. Collector, Korea, District Korea, (Chhattisgarh).
6. Tahsildar, Korea, District Korea, (Chhattisgarh).
7. Tahsildar, Chirmiri, District Koriya, (Chhattisgarh)

----Respondents

For Petitioner
For State
For Respondent No.3

Mrs. Ranjana Jaiswal, Advocate
Mr. S.P. Kale, Dy. Advocate General
Mr. Anup Majumdar, Advocate

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****22.12.2016**

1. In pursuance to the order dated 09.12.2016, the District Collector, Korea has intimated that he has been able to obtain three cheques bearing numbers 446718 amounting Rs. 253525/-, 08572 amounting Rs. 22,000/- and 07394 amounting Rs. 10,000/- each in favour of the Petitioner herein. The said cheques have been given to the District

Education Officer for handing over the cheques in-person to the Petitioner herein.

2. Learned Counsel for the Petitioner at this juncture submits that since the State has already obtained the amount of gratuity payable to the Petitioner herein and the proof of which has already been filed in the reply memo filed by the State, nothing further remains to be adjudicated upon and therefore she does not want to press the Petition any further.
3. Learned Counsel for Respondent No.3 at this juncture submits that the Respondent No.3 may be given liberty / right to claim the said amount of gratuity paid to the Petitioner from the State Government, as the school is 100% aided school and the school does not have any strong financial support of its own to meet the payment of gratuity to the teachers who are retiring periodically.
4. Learned Counsel for Respondent No.3 also submits that so far as claim from the State Government is concerned he has already preferred a Writ Petition in this regard i.e. W.P.L. No. 240/2016.
5. Reserving the said right of Respondent No.3 the present Writ Petition stands disposed off having become infructuous.

Sd/-
(P. Sam Koshy)
JUDGE