

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (L) NO. 11 OF 2017

A.K. Mishra, S/o Late Shri Bharat Das Mishra, aged about 62 years, R/o Qtr. SECL, 1B/62, Bishrampur, Post Bishrampur Colliery, District Surajpur (C.G.)

... Petitioner

Versus

1. South Eastern Coalfields Limited, through Chairman-cum-Managing Director, Seepat Road, Bilaspur (C.G.)
2. General Manager, SECL, Bishrampur Area, Post Bishrampur Colliery, District Surajpur (C.G.)
3. Appellate Authority, under the Gratuity Act, 1972 and Deputy Labour Commissioner (Central), Jabalpur & I/C Deputy Chief Labour Commissioner (Central), Raipur (C.G.)
4. Controlling Authority, under the Gratuity Act, 1972 and Regional Labour Commissioner (Central), Bilaspur (C.G.)

... Respondents

For Petitioner	:	Mr. K.P. Gupta, Advocate.
For Respondent-SECL	:	Mr. H.B. Agrawal, Senior Advocate, assisted by Ms. Preeti Yadav, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30/01/2017

1. The present petition has been listed before this Court on default. However, on a query being put to the Counsel for the Petitioner as to how the present petition is maintainable particularly in the light of the impugned order being an appealable order under the provisions of Section 7(7) of the Payment of Gratuity Act, 1972, no satisfactory explanation could be given by the Counsel for the Petitioner.
2. Accordingly, the present Writ Petition is dismissed as not maintainable in view of the alternative efficacious remedy available.
3. As prayed by the Counsel for the Petitioner, subject to the furnishing of the photocopy of the impugned order, original certified copy of the same shall be returned to him.

Sd/-
(P. Sam Koshy)
Judge