

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4816 of 2017

B. Rajanna S/o Late B. Ammatalli, Aged About 51 Years Secretary, Pravas Andhra Pathshala, Steel Nagar, Camp 1, Bhilai, Tahsil & District Durg, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanad Bhawan, Mantralaya, New Raipur, Chhattisgarh.
2. The Director, Directorate Of Public Instructions, Indravati Bhawan, New Raipur, Chhattisgarh.
3. The District Education Officer, District Durg, Chhattisgarh.
4. The President, Non Government Pravas Andhra Pathshala, Camp 1, Bhilai, District Durg, Chhattisgarh.
5. Bhilai Steel Plant, Through Its Managing Director, Bhilai Steel Plant, District Durg, Chhattisgarh.
6. M. Gopal Krishna Murthy, Retired Teacher, Resident Of Quarter No. 5 E, S.P.A. Zone 3, Khursipar, Bhilai, Tahsil & District Durg, Chhattisgarh.
7. S. Bhaskar Rao Late M. Narayan Rao, R/o Ward No. 17, Anil Kirana Stores, Steel Nagar, Camp 1, Bhilai, District Durg, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri B.P. Singh, Advocate
For State	:	Shri Avinash Singh, Panel Lawyer
For Res. No.6 & 7	:	Shri Ajay Shrivastava, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/12/2017

Heard.

1. With the consent of learned counsel appearing for the parties, this petition is being disposed off.
2. The petitioner filed this petition challenging the order passed by the District

Education Officer directing the petitioner to make payment of retiral dues to respondents No.6 & 7.

3. According to the petitioner, respondents No. 6 & 7 have not vacated the official quarter allotted to them and for that reason, the amount could not be paid. During the course of hearing also, attempts were made to bring about amicable settlement of the dispute. Considering that respondents No. 6 & 7 are retired employees, this Court had directed respondents No. 6 & 7 to file proper affidavit and undertaking.
4. Learned counsel for respondents No.6 & 7 would submit that as far as respondent No.6 is concerned, he has vacated official quarter and respondent No.7 has submitted an undertaking that he will also vacate the official quarter as soon as he receives the entire amounts.
5. There appears to be some dispute with regard to amount of gratuity, therefore, I consider it appropriate to dispose off the matter with a direction that the petitioner shall release all the retiral dues payable by the petitioner except the amount of gratuity to respondents No.6 & 7 within 30 days from the date of receipt of copy of this order. Respondent No.7 shall vacate the official quarter within 2 weeks of receiving whole amount as directed earlier.
6. It will be open for the parties to take dispute relating to gratuity in appropriate forum.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge