

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1611 of 2017

- Maniram S/o Late Shri Dayaram Aged About 61 Years Ex- Sabal Operator, R/o Hardi Bazar, Boira Road, Korba, District- Korba, Chhattisgarh

---- Petitioner

Versus

1. South Eastern Coalfields Limited Through: Its Chairman And Managing Director, Head Office, Basant Vihar, Seepat Road, Bilaspur, District Bilaspur, Chhattisgarh
2. Chief General Manager, South Eastern Coalfields Limited, Dipka, Area Korba, District Korba, Chhattisgarh
3. Deputy General Manager/Mines Manager, Dipka Extension Project, South Eastern Coalfields Limited, Dipka Area, Korba, District Korba, Chhattisgarh
4. Personnel Manager, South Eastern Coalfields Limited Dipka Project, Korba, District Korba, Chhattisgarh
5. Senior Manager (Personnel), South Eastern Coalfields Limited Dipka Project, Korba, District Korba, Chhattisgarh

---- Respondents

For Petitioner	Shri G. R. Mirri, Advocate and Shri Basant Kaiwartya, Advocate
For Respondents	Shri Pankaj Agrawal, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

06/04/2017

1. Petitioner has retired from the post of Shovel Operator on 31.03.2015, however, he has not yet been paid the amount of gratuity admissible to him.

2. Shri Pankaj Agrawal, learned counsel appearing for the respondent SECL on advance notice, would submit that the petitioner is still occupying the accommodation allotted to him while he was in service, therefore, the petitioner should vacate the premises at the earliest and pay the entire rent thereof.
3. Shri Mirri, learned counsel for the petitioner would submit that the petitioner has already written to the SECL that he is not living in the quarter for last 25 years, yet the gratuity has not been paid.
4. If the petitioner says that he is not occupying the quarter, let the SECL take steps to get the quarter vacated whether it is occupied by the petitioner or anybody else. The SECL may also proceed to enquire within a month after giving due opportunity of hearing to the petitioner to conclude as to whether the petitioner remained in occupation of the premises during his service tenure. Immediately after conclusion of the enquiry and depending upon its outcome, the SECL shall pay the admissible amount of gratuity to the petitioner within a period of 15 days thereafter.
5. The writ petition stands disposed.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala