

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3827 of 2013

N.L. Barber S/o Late Shri B.L. Barber Aged About 62 Years R/o Vivekanand Nagar Colony, Seepat Road, Mopka P.S. Sarkanda Bilaspur District Bilaspur C.G.

---- Petitioner

Versus

1. Chhattisgarh State Civil Supplies Cor. Ltd. & anr. Through Its Chairman Hitwad Bhawan, Avanti Vihar, Telibandha, Raipur C.G.
2. The Managing Director C.G. State Civil Supplies Corporation Ltd. Hitwad Bhawan, Avanti Vihar, Telibandha, Raipur C.G.

---- Respondents

Shri Sunil Pillai, counsel for the petitioner/s.
Shri N.K.Vyas, counsel for the Corporation.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/07/2017

The petitioner is a retired employee and this petition is a sequel to earlier petitions relating to disputes on account of imposition of penalty of recovery of Rs.8,31,152/-. The petitioner has already laid challenge to the legality and validity of imposition of penalty of recovery of Rs.8,31,152 in WPS No.739/2017.

2. Because of the order of recovery, the respondent / Corporation did not release other retiral dues of the petitioner which includes amount of gratuity, leave encashment, GIS, Welfare fund etc. Aggrieved by withholding gratuity, the petitioner filed a petition, WPS No.933/2017 wherein respondents were directed to release the amount after retaining Rs.8,31,152/- from the petitioner.

3. This petition has been filed by the petitioner for direction to release the benefit of leave encashment, GIS and Welfare Fund. Learned counsel for the petitioner submits that as the penalty amount of Rs.8,31,152/- is already secured from the gratuity fund, there is no justification for withholding the amount of leave encashment, GIS and Welfare Fund. He submits that these amounts may be

directed to be released.

4. Taking into consideration that the petitioner is a retired employee and penalty amount of Rs.8,31,152/- has already been secured by order dated 28/06/2017 passed in WPS No.933/2017, it is directed that retiral benefits of leave encashment, GIS and Welfare Fund should now be released to the petitioner as early as possible.

The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge