

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPL No. 4757 of 2010**

Mohammad Hamid Ansari S/o Sulman Ansari, aged about 67 years, R/o Near Raju Sharma House, 27 Kholi, Gurudwara, Bilaspur (C.G.)

---- Petitioner

Versus

1. Deputy Secretary and Appellate Authority, under the payment of Gratuity Act, 1972, D.K.S. Bhawan, Raipur (C.G.)
2. Sahakari Vipan Sanstha, Maryadit, Bilaspur, Through Competent Authority / Authorized Officer, present President, office at near Bilaspur Co-operative Bank, Bilaspur (C.G.)
3. Joint Registrar, Cooperative Society, Bilaspur (C.G.)

---- Respondents

For Petitioner	:	Mr. A. K. Patil, Advocate.
For Respondents/State	:	Mr. S.P. Kale, Dy. Advocate General.
For Respondents	:	Mr. Deepak Kumar Singh, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****30/04/18**

1. Learned counsel appearing for the petitioner would submit that petitioner has made an application for grant of amount of gratuity that was granted to him by Controlling Authority by order dated 31.03.2008 directing payment of gratuity of Rs. 75,940/- against which the respondent No. 2 has preferred review application before the said authority. By order dated 28.02.2009, Controlling Authority partly allowed review application reducing the amount of gratuity. Against this order, appeal was preferred by respondent No. 2 before the Appellate Authority which was dismissed by order dated 20.04.2010 affirming the order of Controlling Authority. Thereafter, this writ petition has been preferred by the petitioner claiming interest on the amount of gratuity.

2. I have heard learned counsel for the petitioner.
3. The order dated 31.03.2008 passed by Controlling Authority was partly modified by that authority by order dated 28.02.2009 and appeal against the order dated 28.02.2009 was dismissed making the order dated 28.02.2009 final and thereafter, this writ petition has been filed only challenging order dated 31.03.2008 on 19.07.2010. The said order dated 31.03.2008 has become final subject to modification by Controlling Authority and further by the Appellate Authority and there is delay of two years as well in filing the writ petition.
4. As such, the writ petition is dismissed. No cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge