

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 3480 OF 2013**

- Naresh Lal Sinha, S/o Late Shri Sarju Lal Sinha, aged about 56 years, R/o Village Pathalgaon, Police Station & Tahsil Pathalgaon, District Jashpur (C.G.) PIN Code 496118.

... Petitioners**versus**

1. State of Chhattisgarh, S/o through the Secretary, Transport Department, Mahanadi Bhawan, New Mantralaya, Raipur, District Raipur, (C.G.) PIN Code- 492001.
2. Chhattisgarh Infrastructure Development Corporation, thorough Managing Director, C.G. Infrastructure Development Corporation (Transport Section), Raipur, District Raipur (C.G.) PIN Code- 492001.
3. Divisional Manager, C.G. Infrastructure Development Corporation, Divisional Office, Bilaspur, Bilaspur, District Bilaspur (C.G.)
4. Assistant Commissioner (Accounts Section No.4), Karmchari Bhavishya Nidhi (Sub Regional Office), Block-D, Scheme No.32, Devendra Nagar Pandri, Raipur, Raipur, District Raipur (C.G.) PIN Code- 492001.
5. The Managing Director, M.P. Road Transport Corporation, Head Office, Habibganj, Bhopal, District Bhopal (M.P.)

... Respondents

For Petitioner	:	Mr. Dheerendra Pandey, Advocate.
For Respondent 1	:	Mr. Syed Majid Ali, Dy. Govt. Advocate.
For Respondents 2 & 3	:	Mr. Anup Majumdar, Advocate.
For Respondent 4	:	Mr. Sunil Pillai, Advocate.
For Respondent 5	:	Mr. Varun Sharma, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****20/06/2018**

1. Grievance of the Petitioner perhaps seems to be more in the nature of non-granting of back-wages which was awarded to him by the Labour Court vide its order dated 2.4.1996 which stood affirmed by the Appellate Court's order dated 16.12.2004. Further grievance of the Petitioner is that he has not received the other retiral dues payable to him on his accepting voluntarily retirement from Respondent No.2-Corporation.
2. Learned Counsel appearing for the respective Respondents have stated before this Court that the Petitioner has been paid the gratuity amount as per his entitlement as is reflected from Annexure P-3 so also the Petitioner has been granted ex-gratia payment all of which he has accepted without any objection.

3. Learned Counsel appearing for EPF department submitted that the Petitioner in addition has since also received the entire payment under the EPF Act and since he has withdrawn the entire amount from his EPF account he would not be entitled for pensionary benefits.
4. As regards back-wages and consequential benefits as have been awarded by the Labour Court, learned Counsel appearing for CIDC Corporation submitted that the said two order of the Labour Court and Industrial Court were under challenge in W.P.(L) No. 2427 of 2007 and to the best of his knowledge the said writ petition stands remanded back to the Labour Court for adjudication on the issue of liability.
5. Given the aforesaid facts and circumstances by the learned Counsel appearing for the parties and the fact that the learned Counsel for the Petitioner does not dispute the fact that the Petitioner has been paid the gratuity, ex-gratia payment as also EPF amount, this court does not find any strong case made out by the Petitioner for issuance of a specific writ for any further payment to be made to the Petitioner except for the claim of his back-wages which he would be at liberty to seek for in an appropriate proceeding drawn in accordance with law.
6. The writ petition in its present form stands disposed of accordingly.

Sd/-
(P. Sam Koshy)
Judge