

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7588 of 2018

Hari Yadav S/o Late Shri K.S. Yadav, Aged About 62 Years R/o
Katkona Colony, Police Station Patna, District Korea Chhattisgarh

---- Petitioner

Versus

1. The Sub Area Manager, SECL Katkona Colliery Baikhuntpur Area District Korea Chhattisgarh
2. The State Of Chhattisgarh Through The Appellate Authority And The Regional Commissioner (Central) Raipur Chhattisgarh
3. The State Of Chhattisgarh Through The Controlling Authority Under The Payment Of Gratuity Act, 1973 And The Assistant Labour Commissioner (Central), Torwa, Bilaspur Chhattisgarh

---Respondents

For Petitioner	:	Mr. D.N. Prajapati, Advocate
For State	:	Mr. Chandresh Shrivastava, Panel Lawyer
For Respondent No.1	:	Mr. Vinod Deshmukh, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

19/11/2018

1. The prayer sought for by the petitioner in the present writ petition is for a direction to the respondent No.1 for grant of gratuity with interest, which the petitioner was liable to receive on his retirement on 30.11.2016.
2. At the outset, this Court is not inclined to entertain the writ petition, as there is an alternative statutory remedy available to the petitioner under the Payment of Gratuity Act, itself.
3. The petitioner should have moved an appropriate application before the Controlling authority under the Gratuity Act for ventilating his grievances, rather than straight away filing the writ petition before this Court.

4. The writ petition accordingly stands disposed off, reserving the right of the petitioner to approach the Controlling authority under the Payment of Gratuity Act for redressal of his grievances.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved