

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****Writ Petition (S) No. 7733 of 2018**

Shri Hinsa Ram S/o Late Sukhdev Sahu, Aged About 66 Years, R/o  
Village - Chircharikala, Tahsil - Churiya, District - Rajnandgaon,  
Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Public Works  
Department Mahanadi Bhawan Mantralaya, Atal Nagar, Raipur  
Chhattisgarh
2. The Collector, Rajnandgaon, District - Rajnandgaon, Chhattisgarh
3. Executive Engineer, Public Works Department (Bha/sa) Division  
Rajnandgaon, District - Rajnandgaon, Chhattisgarh

**... Respondents**


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|----------------|---|------------------------------------|
| For Petitioner | : | Shri Hemant Kesharwani, Advocate   |
| For State      | : | Shri Majid Ali, Dy. Govt. Advocate |

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**Hon'ble Shri Justice P. Sam Koshy****Order on Board****28/11/2018**

The dispute in the present writ petition revolves around the payment of gratuity payable to the petitioner.

2. The petitioner working as a Gangman under the respondents retired from service on 30.09.2014. Initially the petitioner was paid only an amount of Rs.1,45,000/- as gratuity amount. The petitioner filed a claim application before the Controlling Authority under the Payment of Gratuity Act where the Controlling Authority vide order dated 25.01.2016 ordered for an additional payment of Rs.2,94,780/- and also ordered for the State Govt. to deposit the

amount minus the amount of gratuity which has already been paid to the petitioner.

3. State Govt. has not further challenged the said order of the Controlling Authority and by efflux of time the same has attained finality. Later on, the Controlling Authority has also vide order Annexure P-3 dated 06.06.2018 issued an order to the Collector for initiating the revenue recovery proceeding for execution of the order passed by the Controlling Authority on 25.01.2016.

4. Given the nature of fact, this Court is of the opinion that no fruitful purpose would be served in keeping the petition pending, rather ends of justice would serve if the respondent no.2 is directed to ensure that RRC which has been issued by the Controlling Authority under the Payment of Gratuity Act be executed at the earliest and also ensure that the payment is made to the petitioner without any further delay. Let this exercise be concluded within a period of 60 days from the date of receipt of the order of this Court and the compliance report be also sent to this Court.

Sd/-  
**(P. Sam Koshy)**  
**Judge**