

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7933 of 2018

Shri Shriram S/o Late Amar Singh Dadsena, Aged About 40 Years
Village Boiredih Post Shikarimahama Tahsil Churiya District
Rajnandgaon Chhattisgarh

---- Petitioner

Versus

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

---Respondents

For Petitioner	:	Mr. Hemant Kesharwani, Advocate
For State	:	Mr. Syed Majid Ali, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/12/2018

1. 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 30.09.2013. Initially the petitioner was paid only an amount of Rs.1,26,800/- 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.2,56,084/- 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 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.
5. 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.
6. With the aforesaid observations, the present writ petition stands allowed and disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved