

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8118 of 2018**

Smt. Kunti Bai W/o Udhobo Aged About 69 Years R/o Khalbada, Gudiyari,
Raipur, Tahsil And District- Raipur, Chhattisgarh., District : Raipur,
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration Mahanadi Bhawan Mantralaya, Atal Nagar Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Collector Raipur District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. The Commissioner Municipal Corporation Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Hemant Kesharwani, Advocate
For State	:	Shri Majid Ali, Dy. Govt. Advocate
For Res. No.3	:	Shri H.B. Agrawal, Sr. Advocate with Prabha Sharma, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****10/12/2018**

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

2. The petitioner working as a Safai Kamgar under the respondents retired from service on 30.06.2010. The petitioner filed a claim application before the Controlling Authority under the Payment of Gratuity Act where the Controlling Authority vide order dated 31.03.2017 ordered for payment of Rs.2,97,692/- 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-2 dated 01.02.2018 issued an order to the Collector for initiating the Revenue Recovery Proceeding for execution of the order passed by the Controlling Authority on 31.03.2017.

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 copy of the order and the compliance report be sent to this Court.

Sd/-
(P. Sam Koshy)
Judge