

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS. No. 8267 of 2018**

Shri Raman Sonkar S/o Late Tarun Sonkar Aged About 28 Years R/o
Lakhenagar Dhal Prahlad Nagar, Raipur Tahsil And District Raipur
Chhattisgarh.

---- Petitioner**Versus**

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

---- Respondents

For Petitioner	:	Mr. Suresh Tandon, Advocate.
For State	:	Ms. Sunita Jai, PL.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****13.12.2018**

1. The dispute in the present writ petition revolves around the payment of gratuity payable to the petitioner.
2. Late Smt. Dev Kunwar grandmother of the present petitioner was working as a Class IV employee under respondent No.3-The Commissioner Municipal Corporation Raipur, and she was retired on 30.06.2012. The petitioner filed a claim application before the Controlling Authority under the Payment of Gratuity Act where the Controlling Authority vide order dated 17.02.2016 ordered for payment of Rs.3,52,900/- with interest with effect from order, but till date not paid any amount to the petitioner.
3. State Govt. has not 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 22.07.2016 issued an order to the Collector for initiating the revenue recovery proceeding for execution of the order passed by the Controlling Authority on 17.02.2016.
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