

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 369 of 2019

- Deendayal Swarnkar S/o Shri Durga Prasad Soni Aged About 63 Years R/o Dalli Road, Ward No. 4, Bhanupratappur, Kanker, Civil And Revenue, District Kanker, Chhattisgarh

---- Petitioner

Versus

1. Shri R. K. Govardhan The Then Managing Director, Presently Posted As Additional Managing Director, Forest Range Raipur, Chhattisgarh State Forest Development Corporation, B-7, Sector- 2, Devendra Nagar Raipur, District- Raipur, Chhattisgarh
2. Shri K. C. Yadav Managing Director, Forest Range Raipur, Chhattisgarh State Forest Development Corporation, B-7, Sector-2, Devendra Nagar, Raipur, Chhattisgarh

---- Respondents

For Petitioner : Shri Ramesh Nayak, Advocate

S.B.: Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/05/2019

This contempt petition has been filed by the petitioner alleging willful disobedience of order dated 30/08/2017 by which a direction was issued to make payment of GPF, Gratuity, GIS and leave encashment.

2. Learned counsel for the petitioner submits that though the writ petition filed by the petitioner has remained pending, the order which was passed by this Court stands despite all objections taken by the respondents in the return.

3. It is found that certain departmental enquiries were initiated against the petitioner and penalty was also imposed. But that would not be a ground to fully withhold gratuity or other benefits. It appears that the respondent, is under a wrong notion, that he having filed reply and opposed relief, is absolved from complying with the direction passed by this Court on 30/08/2017.

4. The order for payment of various dues upon retirement is required to be complied with. It has been stated that GPF amount has been paid but Gratuity, GIS and leave encashment still remain unpaid. Respondent No.2 should take effective steps to ensure that whatever amount is found due towards payment of gratuity, GIS and leave encashment as per service records, is released forthwith. If the said amount is not released within a period of 30 days from the date of receipt of copy of this order by respondent No.2, the petitioner would be at liberty to revive contempt petition and this Court may take serious view of the alleged disobedience considering that the petitioner is a retired employee.

5. The petition is accordingly disposed off at this stage.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge