

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5885 of 2019**

Samaru Ram Sahu S/o Baishakhu Ram Sahu Aged About 63 Years Regular Retired Employee, R/o Village - Narayanpur, Tehsil Navagarh, District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan Mantralay, Atal Nagar, New Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Engineer In Chief Public Works Department, Sirpur Bhawan, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The Sub Divisional Officer Public Works Department, Sub Division Bemetara, District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
4. The Executive Engineer Public Works Department, Bemetara Division, District Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh
5. The Joint Director Treasury, Account And Pension, Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- **Respondents**

For Petitioners	:	Mr. Sanjay Patel, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. AG

Hon'ble Shri Justice P. Sam Koshy

Order on Board

07.08.2019

1. The limited grievance that the petitioner has raised in the present writ petition is that though the petitioner has been retired as a Class-IV employee w.e.f. 31.10.2018, the petitioner has not been granted gratuity and benefit of leave encashment.
2. According to the petitioner, he is being paid pension, however, counsel for the

petitioner further submits that except for gratuity and leave encashment, the petitioner has received all other retiral dues.

3. Given the fact and perusal of the pleadings would show that the petitioner was initially engaged as Daily Wage Employee way back in the year 1975 and was regularized by the department in the year 2008 and he retired from service on 31.10.2018.
4. Given the facts, this Court is of the opinion that no fruitful purpose would be served in keeping the writ petition pending rather ends of justice would meet if the writ petition is disposed off with a direction to the respondent No. 2 to 4 to immediately consider and decide the claim of the petitioner so far as the releasing of gratuity and leave encashment is concerned. While considering the same, the authorities concerned would also take note of the decision of the Supreme Court in the case of Netram Sahu Vs. State of Chhattisgarh, decided on 23.03.2018 in Civil Appeal No. 1254/2018.
5. Let this exercise be completed by the authorities concerned within a period of four months from the date of receipt of copy of this order.

Sd/-

(P. Sam Koshy)
JUDGE