

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5990 of 2019

Jogi Ram Yadav S/o Shri Vishram Yadav Aged About 64 Years R/o Village Navagarh, District Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Public Works Department, Mantralaya, Mahanadi Bhawan,atal Nagar New Raipur District 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 Divisional 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 Petitioner	:	Mr. Sanjay Patel, Advocate
For State	:	Mr. P. Acharya, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/08/2019

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. 31.05.2019, 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 1993 and was regularized by the department in the year 2008 and he retired from service on 31.03.2017.
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 process 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.
6. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved