

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5894 of 2018**

Ram Khilawan Chandrakar S/o Shri Bhanupratap Chandrakar Aged About 68 Years Retired Upper Division Teacher, Village Education Committee, Public Higher Secondary, School, Tarra, Block Patan District- Durg, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Naya Raipur, Chhattisgarh.
2. The Collector Durg, District- Durg, Chhattisgarh.
3. The Village Education Committee Through- Its President, Public Higher Secondary School Tarra Block Patan, District- Durg, Chhattisgarh.

Respondent(s)

For Petitioner	:	Shri Hemant Kesharwani, Advocate.
For Respondents-State	:	Rahul Mishra, Dy.Govt. Advocate.

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

01.02.2019

1. The dispute in the present case is that the petitioner has an order in his favour by the Controlling Authority under the Payment of Gratuity Act dated 28.09.15 (Annexure P/1), but till date that order has not been able to be executed.
2. According to the petitioner, the Controlling Authority have already issued a letter to the Collector for initiating RRC proceedings for recovering of the amount as awarded by the Controlling Authority, but, inspite of the same the Collector also is not taking any interest in getting the amount executed.
3. Be that as it may, without further entering into the merits of the case, once when there is an order in favour of the petitioner (Annexure P-1) dated 28.09.2015 whereby the Controlling Authority has awarded gratuity to the petitioner of an amount of Rs. 6,56,313/-, the order also by efflux of attaining finality, the same ought to have been executed. The respondent

No. 2-Collector is hereby directed to ensure that the RRC proceedings initiated by the Controlling Authority under the Payment of Gratuity Act is executed at the earliest and ensure that the petitioner is able to get the fruits of the award passed in his favour. Let this exercise be completed within a period of two months from the date of receipt of certified copy of this order.

4. Accordingly, the petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder/Arvind