

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 7306 of 2019**

Ram Narayan Bhushanwar S/o Late Shri Ramaji Bhushanwar, Aged About 67 Years (Retired), R/o J-652, Tilak Nagar, Gudiyari, Raipur, District Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Co-Operative Societies, Mahanadi Bhavan, New Raipur Rakhi, District Raipur, Chhattisgarh
2. Chhattisgarh State Co - Operative Marketing Federation Limited, The Managing Director, Chhattisgarh State Co -Operative Marketing Federation Limited, C.B.D. Complex, Sector 21, Atal Nagar, Raipur, District Raipur, Chhattisgarh
3. The Secretary, Chhattisgarh State Marketing Federation Limited, C.B.D. Complex, Sector - 21, Atal Nagar, Raipur, District Raipur Chhattisgarh
4. The Chief Accounts Officer, Chhattisgarh State Marketing Federation Limited, C.B.D. Complex, Sector - 21, Atal Nagar, Raipur, District Raipur, Chhattisgarh
5. The collector, Raipur (CG)
6. The Tahsildar, Aarang, District Raipur (CG)

---- Respondents

For Petitioner	:	Mr. Rahim Ubwani, Advocate
For State	:	Mr. P. Acharya, P.L.
For Respondents 2 to 4	:	Mr. Ashish Surana, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16.09.2019**

1. The petitioner, at the outset, makes an oral request to implead the Collector, District Raipur as well as the Tahsildar, Aarang as necessary party.
2. Considering the request made and also taking note of the nature of dispute, this Court is of the opinion that a strong case for amendment is made out.
3. Let the petitioner make necessary amendment by adding the Collector as well as the Tahsildar as the respondents 5 & 6 respectively.
4. The grievance of the petitioner in the present writ petition is that of the petitioner not being given the interest on the gratuity amount awarded by the Controlling Authority under the Payment of Gratuity Act, 1972.
5. Perusal of the record would show that there is already an order passed by the Controlling Authority in favour of the petitioner vide order dated 30.07.2018 and subsequently again on 05.02.2019 directing the authorities for payment of interest on the gratuity amount also. The documents enclosed with the writ petition also bear an order passed from the office of the Collector, Raipur Annexure P-13 dated 19.02.2019 marked to the Tahsildar, Aarang for initiating appropriate recovery proceeding. However, thereafter there is no further development contended by the petitioner.
6. Given the said facts and circumstances of the case, this Court is of

the opinion that ends of justice would meet if the Collector, District Raipur and the Tahsildar, Aarang are directed to ensure that the order passed by the Controlling Authority, Payment of Gratuity Act, Raipur dated 30.07.2018 and 05.02.2019 pertaining to the petitioner so far as awarding interest is concerned is executed and finalized by initiating appropriate proceedings at the earliest, preferably within a period of 4 months from the date of receipt of copy of this order.

7. The authorities would be at liberty to verify whether the award passed by the Controlling Authority has ever got amended or modified by the Appellate Authority or by any other higher forum.
8. With the aforesaid observation, the writ petition stands disposed of.

**Sd/-
P. Sam Koshy
Judge**