

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8719 of 2019**

- Komal Kumar Verma S/o Late Shri Uday Singh Verma Aged About 60 Years Retired Manager, Chhattisgarh Credit Cooperative Society Limited Sector - 1, Bhilai Nagar, Durg, R/o Zone -1, Road No. 3, House No. 10, New Adarshnagar, Durg, Tahsil And District Durg Civil And Revenue District Durg Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Cooperative Department Mahanadi Bhavan, Mantralay, Atal Nagar, New Raipur Chhattisgarh
2. The Registrar Cooperative Department, Indrawati Bhavan, Block - C, New Raipur, Chhattisgarh
3. The Joint Registrar Cooperative Societies, Durg Division, Santra Badi, Durg, District Durg Chhattisgarh
4. The Managing Director / President Chhattisgarh Cooperative Credit Society Maryadit, Sector - 1, Bhilai Nagar, Durg, Chhattisgarh

---- Respondents

For Petitioner : Shri Manoj Kumar Sinha, Advocate

For Respondents/State : Ms. Binu Sharma, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****22/10/2019**

1. Heard.
2. The grievance of the petitioner is that the petitioner has not been paid the gratuity amount.
3. It is stated that in the earlier round of litigation in WPS No.15 of 2019 on 08.01.2019 this Court has passed the following order:-

“3. In the given facts, let the respondents No. 2 & 3 scrutinize the case of the petitioner so far as grant of retiral dues are concerned in accordance with the circular dated 06/11/2017 and in case if the petitioner is entitled for any dues in addition to what has already been granted, be released to the petitioner at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.

4. It shall be the responsibility of the petitioner to apprise the respondents No. 2 & 3 so far as the order passed by this Court is concerned.”

4. It is further stated that the petitioner has retired from the service on 30.11.2017, however, till date retiral dues have not been released. After the order passed by this Court in WPS No.15 of 2019 on 08.01.2019 the contempt petition No.419 of 2019 was filed, wherein on 19.08.2019 this Court has passed the following order:-

“2. The respondents today entering appearance submits that due compliance of the order has been made as all the retiral benefits has been released to the applicant/petitioner. The respondent has submitted the photocopy of the cheque displaying the amount to deposited in the bank account of the petitioner/applicant.

3. Given the said document which the respondent has produced, this Court is of the opinion that the order stands complied with, as such the contempt proceedings need not be proceeded further. In case, if there is any discrepancy, so far as amount paid to the petitioner/applicant, if it is not settled by the respondent authorities so far as retiral benefits payable to the petitioner/applicant is concerned, he would be at liberty to approach this Court at later stage, as such in case, the grievance still survives.”

5. Petitioner contends that thereafter the petitioner has made a representation Annexure P-13. Thereafter, though certain amount was said to be released but the amount of gratuity has not been released. It is stated that the petitioner, therefore, cannot approach to the authority as the representation of the petitioner is not been decided.

6. Considering the earlier order passed by this Court and also the fact that the

representation of the petitioner is pending, the respondent No.4 is directed to decide the representation of the petitioner so that the petitioner, who is a retired employee, come to know that how much amount has been paid and how much amount is due according to the respondent, so that he can avail his further course of action. The said representation may be decided within a period of 60 days from the date of receipt of copy of this order.

7. with the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu