

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2925 of 2020**

- Badakdau S/o Shri Tilakram, Aged About 68 Years R/o Village Amandula, Post And Tahsil Malkharauda, District Janjgir Champa Chhattisgarh.
---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, (Resham Department) Rural Industries Mantralay, Mahanadi Bhawan, Atal Nagar, District New Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. The Director, Directorate Of Rural Industries, (Resham Department) Chhattisgarh, Indrawati Bhawan, Block-1, 4th Floor, Atal Nagar, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. District Resham Officer, In Front Of Rest House, Kulipota District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
4. Joint Director, Treasury, Account And Pension, Bilaspur, District Bilaspur Chhattisgarh.
---- Respondents

For Petitioner : Ms. Varsha Sharma, Advocate
For State : Ms. Richa Shukla, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order**04-08-2020**

1. The limited grievance that the petitioner has raised in the present writ petition is that through the petitioner has been retired as a Class IV employee with effect from 31-7-2017, 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 pleading would show that the petitioner was initially engaged as Daily Wage Employee way back in the year 1983 and was regularized by the Department in the year 2008 and he retired from service on 31-7-2011.
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 respondents No. 2 to 4 to immediately process the claim of the petitioner so far as the releasing of the gratuity and leave encashment is concerned. While considering the said 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 23-3-2018 in Civil Appeal No. 1254 of 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/-

(Goutam Bhaduri)
Judge

Raju