

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3158 of 2020**

1. Smt. Rambati W/o Late Shri Samaru Sidar aged About 62 Years R/o Village Mendra, Post Hirri, Tehsil and PS Baramkela, District Raigarh Chhattisgarh. ---- **Petitioner**

2. Versus

1. State of Chhattisgarh Through The Secretary, Rural Industries Mantralay, (Resham Department) Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh.
2. The Director, Directorate Of Rural Industries (Resham Department) Chhattisgarh, Indrawati Bhawan, Block-1, 4th Floor, Atal Nagar, District Raipur Chhattisgarh.
3. Joint Director (Resham), Circuit House Road, Urdana, District Raigarh Chhattisgarh.
4. Joint Director, Treasury, Account And Pension, Bilaspur District Bilaspur Chhattisgarh. ---- **Respondents**

For Petitioner	:	Ms. Laxmeen Kashyap, Advocate.
For State	:	Mr. Amrito Das, AAG.

Hon'ble Shri Justice Goutam Bhaduri

Order**14-08-2020**

1. The present petition is filed by the widow of late Shri Samaru Sidar, who was initially appointed as Daily Wage Employee in the year 1985 and was regularized in the year 2008. The gratuity and benefit of leave encashment were not granted and the petitioner being widow of the deceased, is entitled to get the same.

2. According to the petitioner, husband of the petitioner died in harness on 7-7-2012 and thereafter she is getting the retirement benefits, however, gratuity and leave encashment which deceased was entitled, have not been granted to her which was due to the deceased as retirement dues.
3. Given the fact and perusal of the pleadings would show that the husband of petitioner was initially engaged as Daily Wage Employee way back in the year 1985 and was regularized by the department in the year 2008, however, he died on 7-7-2012.
4. Given the facts, this court is of the opinion that no fruitful purpose would be served in keeping the writ pending rather ends of justice would meet if the writ petition is disposed of with a direction to the respondents No. 2 and 4 to immediately process the 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

