

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3831 of 2020

Baishakhu Ram Bhagat S/o Late Bhikhari Ram Aged About 63 Years Retired Pradhan Aarakshak Karyalay Police Adhikshak Bilaspur R/o Ward No. 12 Vidhyanagar Pendra District Gourela Pendra Marwahi Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Grah Avm Police Vibhag Naya Raipur District Raipur Chhattisgarh.
2. Police Adhikshak Bilaspur, District Bilaspur Chhattisgarh.
3. Collector, Bilaspur, District Bilaspur Chhattisgarh.
4. Sambhagiya Sanyukt Sanchalak Kosh Lekha Avm Pension Vibhag, Bilaspur District Bilaspur Chhattisgarh.
5. Jila Koshalay Adhikari Bilaspur District Bilaspur Chhattisgarh.

---Respondents

For petitioner – Shri Abdul Wahab Khan, Advocate.
For State- Ms. Akansha Jain, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

01/10/2020

Heard.

1. Learned counsel for the petitioner would submit that the petitioner has retired on 31/05/2020 and thereafter notice dated 7/07/2020 was served to him wherein it was stated that Rs.87080/- would be deducted from the amount of his gratuity. It is further stated that subsequently amount has been deducted. He would further submit that since the petitioner has retired, at this stage, petitioner may be given liberty to make a representation so that after the representation is decided, the cause would be known which can be adjudicated before the appropriate forum.
2. Without going into merits of the case, since deduction has already been made without giving an opportunity of hearing to the petitioner, the petitioner may make a representation to respondent No.2-Superintendent of Police, Bilaspur within a period of four weeks and thereafter respondent No.2 shall consider and decide the same within a period of 90 days from

the date of receipt of a copy of the representation. Thereafter, petitioner shall be at liberty to raise his grievance before appropriate forum under Payment of Gratuity Act, 1972, if eventuality arises.

3. With the aforesaid observation/direction, the writ petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE