

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4414 of 2020

1. Smt. Savitri Bai, W/o Late Shri Ranglal Kanwar, Aged About 65 Years,
R/o Village Parsahi (Dhana) P.S. And Tahsil Aklatara, District : Janjgir-
Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, (Resham Department)
Rural Industries Mantralay, 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. District Resham Officer, In Front Of Rest House, Kulipota, District :
Janjgir-Champa, Chhattisgarh
4. Joint Director, Treasury, Account And Pension, Bilaspur, District :
Bilaspur, Chhattisgarh

----- Respondents

For Petitioner	:	Ms. Laxmeen Kashyap, Advocate
For State	:	Ms. Akansha Jain, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18.11.2020

1. The present petition has been filed by the widow of late Shri Ranglal Kanwar, who was initially appointed as a Daily Wage Employee (contingency labour) 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. That the petitioner in addition has also prayed for grant of retiral dues, gratuity and other benefits which the husband of the

petitioner would had been entitled for as the regular employee of the respondents.

2. According to the petitioner, husband of the petitioner died in harness on 12.05.2017 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 12.05.2017.
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 off with a direction to the respondents No. 2 and 4 to immediately process the claim/case 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.
6. The writ petition, accordingly stands disposed off.

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