

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 315 of 2021**

Smt. Fulmani W/o Late Shri Sonsay Yadav Aged About 61 Years R/o Village Farsajudwain, Post P.S. And Tahsil Kansabel, District Jashpur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, (Resham Department) Rural Industries Mantralay, Mahanadi Bhawan, Atal Nagar District New Raipur Chhattisgarh.
2. The Director Directorate Of Rural Industries, (Resham Department) Chhattisgarh. Indrawati Bhawan, Block -1, 4th Floor, Atal Nagar District Raipur Chhattisgarh.
3. Assistant Director (Resham) Jashpur District Jashpur Chhattisgarh
4. Joint Director Treasury, Account And Pension, Ambikapur District Surguja Chhattisgarh

---- Respondents

For Petitioner	:	Ms. Laxmeen Kashyap, Advocate
For State	:	Mr. Sudeep Verma, Deputy G.A. Mr. Kapil Maini, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/02/2021**

1. The dispute in the present writ petition is in respect of the non-granting of the gratuity and arrears of pay as also the benefit of leave encashment on retirement.
2. The petitioner in the present writ petition was initially engaged as a daily wage under the respondents way back in the year 1979. In due course of time the services of the petitioner stood regularized w.e.f. 27.09.2008. On attaining the age of superannuation, she stood retired w.e.f. 30.06.2014.

3. The contention for the petitioner is that upon her retirement the respondents have only reduced the pension to the petitioner, but the other retiral dues, like gratuity, leave encashment, arrears of pay, etc. have not been paid to the petitioner.
4. As regards the gratuity is concerned, this Court is of the opinion that let the petitioner, so far as her claim for gratuity is concerned, approach the concerned controlling authority under the Payment of Gratuity Act for redressal of her grievance. As regards the arrears of pay, if any and the payment of leave encashment is concerned, the respondent authorities are directed to immediately scrutinize the claim of the petitioner so far as these two benefits are concerned, and subject to verification if the petitioner is found entitle for the benefits under the arrears of pay as also under the leave encashment or any other retiral dues not paid to the petitioner, the same should be processed and finalized at the earliest within a period of 90 days from the date of receipt of the copy of this order and the amount should also be released forthwith.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved