

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPS No. 366 of 2021**

- Kailash Das Manikpuri S/o Naval Das Mahant Aged About 63 Years R/o Bhata, Tahsil Katghora, District Korba (Chhattisgarh).

---- Petitioner**Versus**

- State Of Chhattisgarh Through Secretary, Water Resources Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur (Chhattisgarh).
- Executive Engineer Water Resources Department, Korba, District Korba (Chhattisgarh).
- Superintendant Engineer Water Resources Department, Division Korba, District Korba (Chhattisgarh).
- Joint Director Treasury, Accounts And Pension, Bilaspur, District Bilaspur (Chhattisgarh).

---- Respondent

For Petitioner	-	Shri C. Jayant K. Rao, Advocate.
For Respondent	-	Shri Shakti Singh Thakur, Panel Lawyer.

Hon'ble Shri Justice P.Sam Koshy J.
Order On Board**22/02/2021**

1. The claim of the petitioner in the present writ petition is for a direction to the respondents to consider the claim of the petitioner for grant of gratuity.
2. The petitioner in the present writ petition was working as daily wage employee under the respondents since 1982 and later on was regularized in the year 1991 and finally stood retired from service on 31.05.2019. The petitioner

now after a period of more than 1 1/2 years has filed the writ petition demanding payment of gratuity. Counsel for the petitioner refers to the judgment of the Supreme Court in the case of Netram Sahu Vs. State of Chhattisgarh and another reported in (2018) 5 SCC 430 which originated from this Court vide Civil Appeal No.1254 of 2018 decided on 23rd of March, 2018.

3. Perusal of the record would show that the said order also was one which travelled to the High Court and the Supreme Court from the order of the Controlling Authority under the Payment of Gratuity Act, 1972.
4. Given the fact, reserving the right of the petitioner to approach the Controlling Authority under the Payment of Gratuity Act, the present writ petition stands disposed of. If the petitioner approaches the Controlling Authority, it is expected that the Controlling Authority while deciding the claim of the petitioner shall also take note of the judgment of the Supreme Court in the case of Netram Sahu Vs. State of Chhattisgarh and another (2018) 5 SCC 430.

SD/-

(P. Sam Koshy)
Judge