

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 983 of 2021**

1. Vasupalli Janki Bai W/o Shri Vasupalli Neeladri Aged About 62 Years R/o Pravas Andhra Pathsala Pas Camp-1, Steel Nagar, Post Supela, Bhilai District Durg Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Education, Mantralaya, Mahanadi Bhawan, Atal Nagar New Raipur District Raipur Chhattisgarh
2. Director Directorate Of Public Instruction, Chhattisgarh Raipur Indravati Bhawan, Naya Raipur District Raipur Chhattisgarh
3. District Education Officer Durg District Durg Chhattisgarh
4. Secretary Pravas Andhra Pathsala Ward No. 17, Camp-1, Steel Nagar, Post Supela, Bhilai, District Durg Chhattisgarh

---- Respondents

For Petitioner	:	Shri Ajay Shrivastava, Advocate.
For State	:	Shri Rahul Jha, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****08/03/2021**

1. The relief that the petitioner has sought for in the present writ petition, is for the release of an ex-gratia amount of Rs. 50,000/- that has been sanctioned by the respondent No. 3 on account of the accidental death of husband of the petitioner. The second relief is for grant of release of payment of gratuity.
2. Taking into consideration the fact that the petitioner's husband was working in a Govt. aided Private School so far as the claim of the petitioner for Payment of Gratuity is concerned, this Court is of the opinion that it would be more appropriate for the petitioner to

approach the Controlling Authority under the Payment of Gratuity Act for release of his gratuity and ventilating her grievance.

3. However, as regards the release of ex-gratia amount, there seems to be some sanction made by the respondent No. 3 in this regard as is revealed from the correspondence made by the District Education Officer to the Director of Public Instruction.
4. Given the fact that the writ petition is disposed of directing the respondents No. 2 & 3 to take necessary steps in ensuring that the payment of ex-gratia payable to the petitioner in accordance with the Rules be completed/released at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.
5. It is made clear that the entitlement of the petitioner would be subject to the applicable rules governing the field and on due verification of the entitlement of the same.
6. Accordingly, the writ petition stands disposed of.

Sd/-

(P. Sam Koshy)
Judge