

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 4030 of 2021**

Ashok Kumar Dubey S/o Shri Shivnarayan Dubey Aged About 64 Years
Residence Of Flat No. 302, Shubham Vilas, Ward No. 46, New Rajendra
Nagar, Amlidih, District- Raipur (Chhattisgarh) - 492006

---- Petitioner**Versus**

1. Chhattisgarh State Industrial Development Corporation Through Its Managing Director, Udyog Bhawan, Ring Road No. 1 Telibandha Raipur, District- Raipur (Chhattisgarh)
2. The Executive Director Chhattisgarh State Industrial Development Corporation, Udyog Bhawan, Ring Road No. 1, Telibandha Raipur, District - Raipur (Chhattisgarh)
3. Deputy Manager (Finance And Accounts) Chhattisgarh State Industrial Development Corporation, Udyog Bhawan, Ring Road No. 1, Telibandha Raipur District- Raipur (Chhattisgarh)
4. The Accountant General Zero Point Vidhan Sabha Road Raipur, District- Raipur (Chhattisgarh)
5. The Joint Director, Treasury, Accounts And Pension Raipur District - Raipur (Chhattisgarh)

----Respondents

For Petitioner	:	Mr. Palash Tiwari, Advocate
For State	:	Mr. Ishan Verma, Panel Lawyer
For Respondents No. 1 to 3	:	Mr. Anumeh Shrivastava, Advocate
For Respondent No.4	:	Mr. Rajkumar Gupta, Advocate

Hon'ble Shri Justice P. Sam Koshy
Order on Board

06/08/2021

1. The grievance of the petitioner in the present writ petition is the quantum of payment of gratuity that he has received on his superannuation w.e.f. 30.09.2017.
2. According to the petitioner, the State Government subsequent to the enforcement of the revision of pay w.e.f. 01.01.2016, had also revised the maximum limit of the payment of gratuity. The limit was enhanced from Rs.10 lakhs to Rs.20 lakhs for all those employees, who have retired on or after 01.01.2016. The contention of the petitioner is that under the pre-revised scheme, the petitioner has got the maximum of Rs.10 lakhs, however under the revised scheme, the petitioner would be entitled for the enhanced ceiling of Rs.20 lakhs considering the total length of service rendered by the petitioner.
3. The counsel for the petitioner submits that as of now let the writ petition be disposed of permitting the petitioner to represent before the respondents authorities and the respondents authorities in turn may decide the representation taking into consideration the circulars of the State Government issued in this regard.
4. To this limited prayer, the counsel for the respondents have no objection.
5. Accordingly, the writ petition at this juncture stands disposed of permitting the petitioner to make a representation afresh within a period of 3 weeks from today in addition to any representation, if any, already pending and the respondents No.1 to 3 in turn shall consider and decide the representation on its own merits taking into consideration the circulars of the State Government, Department of

Finance dated 06.11.2017, whereby the upper limit of payment of gratuity has been enhanced from Rs.10 lakhs to Rs.20 lakhs w.e.f. 01.01.2016 onwards. The respondents No.1 to 3 in turn are expected to take a decision on the representation of the petitioner at the earliest within an outer limit of 90 days from the date of receipt of copy of the representation.

6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved