

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 4398 of 2021**

Suresh Kurre S/o Late Atmaram Kurre, Aged About 41 Years, Working As Labor Inspector Jashpur, R/o Sai Niwas Apartment, House No. 201/T, Face 1, 2nd Flore, Torwa Police Station, Torwa, District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Labor Commissioner, New Raipur, Atal Nagar, District Raipur, Chhattisgarh
2. The Assistant Labor Commissioner, Korba, District Korba Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Syed Ishhadil Ali, Advocate
For State	:	Mr. Neeraj Pradhan, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****23.08.2021**

1. The grievance of petitioner in the present writ petition seems to be the non-obtaining of provident fund dues and gratuity amount for the services that he has rendered under Bharat Aluminum Company Limited (in short "BALCO") for the period between 13.04.2007 to 15.09.2015.
2. According to petitioner, subsequently he had resigned from the service from BALCO w.e.f. 15.09.2015 and since then he has been trying to get the PF dues which stood credited in his PF account and also for payment of gratuity for the period of service rendered by him

under BALCO.

3. At this juncture, what is reflected is that both BALCO under which the petitioner had worked and the EPF department where EPF contribution stands deposited are not made respondents in this case. So far as the two claims are concerned, the same are governed under two distinct statutory provisions i.e. the Payment of Gratuity Act and also the Employees Provident Fund Act.
4. Given the said factual matrix of the case and the fact that the claim of petitioner are governed under two different statutory provisions, the writ petition at this juncture stands disposed of with a liberty to the petitioner for approaching the concerned authorities for ventilating his grievance so far as his claims for payment of gratuity and also for releasing of provident fund dues, if any, deposited in his account.
5. With the aforesaid liberty, the writ petition stands disposed of.

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