

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4486 of 2021

Prabhathi Ram Yadav S/o Shri Bodhi Ram Aged About 66 Years R/o Village
Nonbirra, Tahsil Kartala, District Korba Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Forest Department
Mantralay, Mahanadi Bhawan, Atal Nagar New Raipur District Raipur
Chhattisgarh
2. The Chief Conservator Of Forest Bilaspur Circle District Bilaspur
Chhattisgarh
3. The Divisional Forest Officer Korba Forest Division, Korba District Korba
Chhattisgarh
4. Joint Director Treasury, Account And Pension, Bilaspur District Bilaspur
Chhattisgarh

---- Respondents

For Petitioner	:	Ms. Varsha Sharma, Advocate.
For State	:	Ms. Sunita Jain, GA

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

31/08/2021

1. The limited grievance that the petitioner has raised in the present writ petition is that though the petitioner has been retired as a Class-IV employee w.e.f. 30.06.2017, the petitioner has not been granted gratuity and benefit of leave encashment.
2. According to the petitioner he is being paid pension, however counsel for the petitioner further submits that except for gratuity and leave encashment the petitioner has received all other retiral dues.
3. Given the fact and perusal of the pleadings would show that the petitioner was initially engaged as Daily Wage Employee way back

in the year 1987 and was regularized by the department in the year 2008 and he retired from service on 30.06.2017.

4. Given the facts, this Court is of the opinion that no fruitful purpose would be served in keeping the writ petition pending rather ends of justice would meet if the writ petition is disposed off with a direction to the respondent No. 2 to 4 to immediately process the claim of the petitioner so far as the releasing of the gratuity and leave encashment is concerned. While considering the said, authorities concerned would also take note of the decision of the Supreme Court in the case of **Netram Sahu Vs. State of Chhattisgarh, decided on 23.03.2018 in Civil Appeal No. 1254/2018.**
5. The claim of the petitioner would be settled subject to due verification of the entitlement part is concerned.
6. Let this exercise be completed by the authorities concerned within a period of four months from the date of receipt of copy of this order.
7. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit