

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5085 of 2021

Jyoti Deshpandey W/o Shri Anil Deshpandey Aged About 70 Years R/o
Avanti Vihar, Sector 01, Junior Mig No. 5, Housing Board Near Capital
Palace , Raipur , Tehsil And District Raipur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Department Of School Education, Mahanadi Bhawan, Mantralaya , Police Station And P.O. Rakhi, Atal Nagar, Raipur District Raipur Chhattisgarh
2. Divisional Joint Director Office Of Divisional Joint Director Kosh Lekha And Pension, Raipur , District Raipur Chhattisgarh.
3. District Education Officer Office Of District Education Officer, Raipur, District Raipur Chhattisgarh.
4. The Principal R.K. Sindhi Vidya Mandir, Ramsagar Para, Raipur , District Raipur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Anish Tiwari, Advocate.
For State	:	Mr. Suyash Dhar, PL

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

22/09/2021

1. The claim of the petitioner in the present writ petition is the non payment of gratuity to the petitioner who stood retired from the service of the respondent no.4, a fully Government aided private educational institution.
2. Counsel for the petitioner relied upon a bunch of writ petitions decided by this Court vide order dated 06.03.2020, the leading case being WPL 223/2017.

3. Perusal of the pleadings would show that petitioner is making her claim in accordance with the provisions of the Payment of Gratuity Act, 1972. The judgment relied upon by the petitioner Annexure P-3 is also one which arose for proceeding under the said Act of 1972.
4. Under the circumstances, the present writ petition stands disposed of directing the concerned Controlling Authority under the payment of Gratuity Act ventilating her grievance for grant of gratuity upon her retirement. Upon such an application being made the Controlling Authority is expected to take a decision at the earliest in accordance with law.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit