

HIGH COURT OF CHHATTISGARH AT BILASPUR**W.P.S. NO. 4951 OF 2020**

• Darshanlal Patanwar, S/o Sankatram @ Bhurthoo Prasad Patanwar, aged about 70 years, R/o D-8, Priyadarshani Nagar, Bilaspur (CG) ... **Petitioner**
versus

1. State of Chhattisgarh, through its Chief Secretary, Secretariat, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (CG)
2. The Principal Secretary, Department of School Education, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (CG)
3. The Commissioner, Department of Public Instruction, Govt. of Chhattisgarh, Secretariat, Mahanadi Bhawan, New Raipur, District Raipur (CG)
4. Directorate of Public Education, Indravati Bhavan, New Raipur, District Raipur (CG)
5. District Education Officer, Office of District Education Officer, Bilaspur, District Bilaspur (CG)
6. The Principal, Chhattisgarh Higher Secondary School, Near Brahaspati Bazar, Bilaspur, District Bilaspur (CG) ... **Respondents**

For Petitioner	:	Mr. Sumit Singh Rathore, Advocate.
For Respondents/State	:	Mr. Rahul Jha, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****07/01/2021**

1. Claim of the Petitioner in the present Writ Petition is for payment of Gratuity and Leave Encashment.
2. The claim of the Petitioner is based upon a judgment passed by this High Court in a bunch of writ petitions, the leading case of which is WP(L) No. 223/2017, which were decided on 6.3.2020.
3. At the outset, this Court is of the view that the said bunch of writ petitions decided on 6.3.2020 arose from a proceeding drawn before the Controlling Authority under the Payment of Gratuity Act. Petitioner also has a right of approaching the Controlling Authority under the Payment of Gratuity Act for claiming the benefit of Gratuity.
4. Accordingly, the Petitioner is directed to approach the Controlling Authority under the payment of Gratuity Act for ventilating his grievances so far as non-payment of Gratuity is concerned and on such application being made, it is expected that the authorities shall decide the same in accordance with law at the earliest.
5. Writ Petition accordingly stands disposed of with the aforesaid direction.

Sd/-
(P. Sam Koshy)
JUDGE