

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4957 of 2020**

1. Jagannath Prasad Soni S/o Late Ganga Ram Soni Aged About 75 Years
R/o Ward No. 17, Birkona, Bilaspur 495 009 Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Chief Secretary, Secretariat, Mahanadi Bhawan, Mantralaya , New Raipur , District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Principal Secretary Department Of School Education , Mahanadi Bhawan, Mantralaya , New Raipur , District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The Commissioner Department Of Public Instruction, Government Of Chhattisgarh , Secretariat , Mahanadi Bhawan, New Raipur , District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Directorate Of Public Education Indravati Bhavan, New Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
5. District Education Officer Office Of District Education Officer , Bilaspur , District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
6. The Principal Chhattisgarh Higher Secondary School, Near Brahaspati Bazar, Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner : Shri Sumit Singh Rathore, Advocate.

For State : Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06.01.2021**

1. The claim of the petitioner in the present writ petition is for the Payment of Gratuity and the 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 and which were decided on 06.03.2020.

3. At the outset, this Court is of the opinion that a bunch of writ petitions decided on 06.03.2020 arose from a proceeding drawn before the Controlling Authority under the Payment of Gratuity Act.
4. The petitioner also has a right of approaching the Controlling Authority under the Payment of Gratuity Act for claiming the benefit of Gratuity.
5. The petitioner is directed to approach the Controlling Authority under the payment of Gratuity Act for ventilating his grievance 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.
6. The present writ petition accordingly stands disposed of.

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

Jyotijha