

**HIGH COURT OF CHHATTISGARH AT BILASPUR**  
**WRIT PETITION (SERVICE) NO. 5534 OF 2020**

- Ram Narayan Bhushanwar, S/o Late Shri Ramaji Bhushanwar, aged about 67 years, (Retired), R/o J-652, Tilak Nagar, Gudiyari, Raipur, District Raipur (CG)

**... Petitioner**

**versus**

1. State of Chhattisgarh, through Secretary, Department of Co-operative Societies, Mahanadi Bhavan, New Raipur, Rakhi, District Raipur (CG)
2. Chhattisgarh State Co-Operative Marketing Federation Limited, the Managing Director, Chhattisgarh State Co-Operative Marketing Federation Limited, C.B.D. Complex, Sector 21, Atal Nagar, Raipur, District Raipur (CG)
3. The Secretary, Chhattisgarh State Marketing Federation Limited, C.B.D. Complex, Sector 21, Atal Nagar, Raipur, District Raipur (CG)
4. The Chief Accounts Officer, Chhattisgarh State Marketing Federation Limited, C.B.D. Complex, Sector 21, Atal Nagar, Raipur, District Raipur (CG)
5. The Collector, Raipur, District Raipur (CG)
6. The Tahsildar, Arang, District Raipur (CG)

**... Respondents**

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|--------------------------|---|---------------------------------------------------------------------------------|
| For Petitioner           | : | Mr. Rahim Ubwani, Advocate.                                                     |
| For Respondents 1, 5 & 6 | : | Mr. V.R. Tiwari, Addl. A.G.                                                     |
| For Respondents 2 to 4   | : | Mr. Harshal Chouhan, Advocate, under instructions of Mr. Prfull N. Bharat, Adv. |

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**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**05/03/2021**

1. Grievance of Petitioner in the present Writ Petition seems to be the less payment of gratuity that has been made.
2. Learned Counsel for Petitioner submits that, on an earlier occasion, the Petitioner had approached the Controlling Authority under the Payment of Gratuity Act, who had passed an award in favour of Petitioner. The order of the Controlling Authority on attaining the finality was put for execution and with a great difficulty at the instance of the High Court in WPS No. 7306/2019, decided on 16.9.2019, the authorities have released certain payment to the Petitioner, but the calculation made and the interest awarded is not in accordance with the award passed by the Controlling Authority.
3. Given the fact that the claim of Petitioner is for the difference of amount as awarded by the Controlling Authority and what has been released by the respondent authorities, this Court is of the opinion that the appropriate forum available to the Petitioner for raising the said dispute would be the Controlling

Authority under the Payment of Gratuity Act, who, in turn, shall consider the case of the Petitioner and shall pass appropriate orders on its own merits.

4. Writ Petition accordingly stands disposed of with the aforesaid observation.

/sharad/

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