

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
W. P. (S) No. 787 of 2011**

...
Rameshwar Bhuria No. 1 ... Petitioner
-V e r s u s -
Bharat Coking Coal Ltd. & Ors. ... Respondents

CORAM: - HON'BLE MR. JUSTICE APARESH KUMAR SINGH

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For the Petitioner : - Mr. Nand Kishore Pd. Sinha, Adv.
For the Respondents : - Mr. Ananda Sen.

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07/31.07.2014 Heard learned counsel for the parties.

The petitioner is before this Court in the second round of litigation in respect of claim for gratuity on the basis of NCWA-VI wages.

The petitioner is said to have retired on 08.04.1999 from the post of Wagon Loader under the respondent-BCCL at Lodna Coke Plant, Dhanbad.

In the earlier writ petition, with regard to the claim for gratuity under NCWA-VI, arrear wages and LLTC amount etc. the respondents were directed to take a decision upon the representation of the petitioner within a stipulated time and pay the amount found admissible.

According to the respondent-BCCL, the amount admissible have been either paid or recommendation has been sent for payment of pension to the office of Regional Commissioner, CMPF, Dhanbad-III.

As per the petitioner, the enhanced pension of Rs. 851/- per month and sum of Rs. 12649/- as arrears of the said payment have not yet been credited to the petitioner's account in the Bank of Baroda, Nawagarh. Learned counsel for the petitioner further submits that an amount of Rs. 23,252/- has also not been credited under the head of gratuity.

Learned counsel for the respondent-BCCL submits that for claim of enhanced pension amount, recommendation has been made by the employer, therefore the petitioner should pursue his matter before the respondent no. 7, the Regional Commissioner, CMPF, Dhanbad. If the amount of gratuity have not been credited to the petitioner's account, the petitioner may approach the respondent no. 6, the Personnel Manager, BCCL, Lodna Coke Plant, Dhanbad for the said grievances.

In view of the aforesaid facts and circumstances and the

submissions made by the rival parties, the writ petition is being disposed of by giving liberty to the petitioner to approach respondent no. 6 the Personnel Manager, BCCL, Lodna Coke Plant, Dhanbad & and respondent no. 7, the Regional Commissioner, CMPF, Dhanbad with separate representation duly supported with all facts and documents for pending grievances in relation to release of gratuity and pension.

On petitioner's representation, the respondent nos. 6 and 7 shall consider the same in accordance with law within a reasonable time.

Accordingly, the writ petition is disposed of in the aforesaid manner.

(Aparesh Kumar Singh, J.)

Kamlesh/