

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE THIRTIETH DAY OF APRIL  
TWO THOUSAND AND TWENTY ONE  
PRESENT

THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI  
AND  
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT APPEAL NO: 154 OF 2021

Writ Appeal under Clause 15 of the Letters Patent appeal preferred against the order dated 03/02/2021 passed in W.P.No.2214 of 2021 on the file of the High Court.

**Between:**

Chinthala Rajaiah, S/o Chandraiah, Aged about 60 years, Occ: Rtd. Employee,  
R/o. H. No.5-92, Jangedu, Bhupalpalli, Bhupalpalli District.

...APPELLANT

AND

1. Singareni Collieries Company Limited, Singareni Bhavan, Lakadikapul, Hyderabad, rep. by its The Chairman and Managing Director,
2. The General Manager, Singareni Collieries Company Limited, Bhupalpalli, Warangal District
3. The Superintendent of Mines, KTK1 Incline, Bhupalpalli, Warangal District  
Regional Labour Commissioner Central, Vidyanagar, Hyderabad
4. The Regional Labour Commissioner Central, Vidyanagar Hyderabad.
5. The Regional Commissioner, Coal Mines Provident Fund, Millennium Quarters, I.B Colony, Opp. Bus Stand, Godavankhani- 505209, Peddapalli Dist, Telangana

...RESPONDENTS

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents to calculate pensionary/terminal benefits such as Gratuity, CMPF, FBIS (Acc) and Pension p.m. etc., and pay the same immediately, in the interest of justice, Pending Disposal of the Writ Petition.

**Counsel for the Appellant: SRI. BOKARO LOKESHWAR REDDY**

**Counsel for the Respondent Nos.1, 2 & 5: SRI J. SREENIVASA RAO,  
SC FOR SINGARENI COLLIERIES**

**Counsel for the Respondent No.3: GP FOR MINES & GEOLOGY**

**Counsel for the Respondent No.4: GP FOR LABOUR**

The Court delivered the following: JUDGMENT

**THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI**  
**AND**  
**THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY**

**WRIT APPEAL No.154 OF 2021**

**JUDGMENT: (Per the Hon'ble the Chief Justice Hima Kohli)**

1. The appellant/writ petitioner is aggrieved by the order dated 03.02.2021, passed by the learned Single Judge disposing of W.P.No.2214 of 2021, while referring to the letter dated 19.10.2020 addressed to him, quantifying the amount payable to him by the respondents No.1 to 3/employer.
2. Learned counsel for the appellant states that the said letter refers to a sum of Rs.5 lakhs, as lump sum amount payable to the appellant for his balance services, which is unacceptable for the reason that the appellant had not sought any employment for his dependent and on attaining superannuation, has claimed his pensionary/terminal benefits including gratuity, CMPF, FBIS *etc.*, as rightfully due to him.
3. Learned Standing Counsel appearing for the respondents No.1 to 3/employer submits, on instructions, that the employer has no objection to paying the pension, gratuity, CMPF, FBIS *etc.* to the appellant subject to his completing all the requisite formalities in this regard including submitting an NOC from his wife.
4. Learned counsel for the appellant states that the appellant may be permitted to complete all the requisite formalities through his wife

or son since he is bedridden and the respondents No.1 to 3/employer be directed to process his case at the earliest.

5. The requisite formalities shall be completed by the appellant and the documents submitted by his wife/son to the respondents No.1 to 3/employer within three weeks. The respondents No.1 to 3/employer shall process the said application and if there is any deficiency, inform the appellant's family of the same for them to make good the deficiency. When the application is complete in all respects, then the amounts due and payable to the appellant shall be released to him through his wife/son within four weeks therefrom.

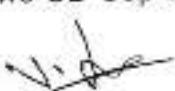
6. The appeal is disposed of in terms of the above order along with the pending applications, if any. If the appellant has any grievance with regard to non-release of any amount by the respondents No.1 to 3/employer, he shall be entitled to approach the court for appropriate orders.

Sd/-M.VIJAYA BHASKAR  
DEPUTY REGISTRAR  
SECTION OFFICER

To,

1. The Chairman and Managing Director, Singareni Collieries Company Limited, Singareni Bhavan, Lakadikapul, Hyderabad.
2. The General Manager, Singareni Collieries Company Limited, Bhupalpalli, Warangal District
3. The Superintendent of Mines, KTK1 Incline, Bhupalpalli, Warangal District
4. Regional Labour Commissioner Central, Vidyanagar, Hyderabad
5. The Regional Labour Commissioner Central, Vidyanagar Hyderabad.
6. The Regional Commissioner, Coal Mines Provident Fund, Millennium Quarters, I.B Colony, Opp. Bus Stand, Godavarikhani- 505209, Peddapalli Dist, Telangana
7. One CC to Sri Bokaro Lokeshwar Reddy, Advocate [OPUC]
8. One CC to Sri J. Sreenivasa Rao, SC for Singareni Collieries [OPUC]
9. Two CCs to GP for Mines and Geology, High Court for the State of Telangana at Hyderabad. [OUT]
10. Two CCs to GP for Labour, High Court for the State of Telangana at Hyderabad. [OUT]
11. Two CD Copies

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**HIGH COURT**

**DATED:30/04/2021**

**JUDGMENT**

**W.A.No.154 of 2021**



**DISPOSING OF THE WRIT APPEAL  
WITHOUT COSTS**

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1/6/21