



CGHC010228132025



2026:CGHC:33614

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5227 of 2025

1 - R.D. Sahu S/o Late Shri Jait Ram Sahu Aged About 71 Years Retired Assistant Conservator Of Forest, Add- Devnandan Nagar, Phase-1, Before Krishna Complex, Sipat Road, Bilaspur (Chhattisgarh) Pin 495001

... Petitioner

versus

1 - State Of Chhattisgarh Through The Principal Secretary, Forest And Climate Change Department Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur (C.G.)

2 - The Principal Chief Conservator Of Forest (Hoff) Forest And Climate Change Department, Aranya Bhawan North Block, Sector-19 Nava Raipur, Atal Nagar, Chhattisgarh, Raipur (C.G.)

3 - The Chief Conservator Of Forest Bilaspur Circle, Bilaspur, Sindhi Coloney (C.G.) Pin 495001

4 - The Divisional Forest Officer Bilaspur, Bilaspur Forest Division And District- Bilaspur (C.G.) Pin 495001

5 - The Divisional Forest Officer Janjgir-Champa, H.Q. Champa District- Janjgir-Champa (C.G.) Pin 495671

... Respondents

For Petitioner : Mr. Alok Chandra Rishi, Advocate.

For State : Ms. Anuja Sharma, Dy. G.A.

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

03/08/2026

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1. By the present petition, the petitioner has prayed for following reliefs:-

“10.1. Kindly, direct respondents to release the entire amount of gratuity forthwith.

10.2. Kindly, direct respondents to release full 100% pension after expiration of 2 years from the date of retirement i.e. from 01/06/2017.

10.3. Kindly order to pay 12% interest on withheld gratuity counted from after 6 month from retirement.

10.4. Kindly, direct to pay interest on difference of pension as lordship may deem fit.

10.5. That, any other relief in the interest of justice.”

2. On an earlier date of hearing i.e. 14/05/2026, the petitioner had raised a ground that though the petitioner has retired from service on 31/05/2016 after attaining the age of superannuation, the entire retiral dues have not been released on the ground that the departmental enquiry is pending against him. On the said date, learned State counsel was directed to make a submission as to when the departmental enquiry proceedings will be concluded and also directed to file affidavit of the concerned Officer.
3. Today, learned counsel for the petitioner by referring Annexure P/10 along with his rejoinder submits that the departmental enquiry has been concluded and final order dated 20/05/2026 has already been passed by the State Government by directing recovery of Rs.14,73,040/- from the petitioner.

4. Learned State counsel submits that the final order has been passed by passing an order of recovery, hence, the present writ petition filed by the petitioner is not maintainable at this stage unless and until, the order dated 20/05/2026 is not questioned by the petitioner before the competent authority.
5. I have heard learned counsel for the parties, perused the pleadings and documents.
6. Having considered the submission made by learned counsel for the parties and upon perusal of Annexure P-10 of the rejoinder, it appears that the after conclusion of departmental enquiry, the respondents have passed the order of recovery dated 20/05/2026, hence, at this stage, the present writ petition is not maintainable.
7. Accordingly, the writ petition is disposed of. However, the petitioner is at liberty to question the order dated 20/05/2026 before the appropriate authority, if so advised.

SD/-

(Bibhu Datta Guru)
Judge

Amardeep