

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WRIT PETITION (S) NO. 6805 OF 2009

Lochan Prasad Sharma, aged 65 years, S/o Ramlal Sharma, Retired Assistant Sub Inspector Police, District Surguja, R/o Lions Club Road, Near Dr. Nayak Nurshing Home, Champa, District Janjgir-Champa (CG)

... Petitioner

Versus

1. State of Chhattisgarh, through: Secretary, Finance Department (Treasuries), Senior Accounts Officer, Office Accountant General, Raipur (C.G.)
2. Hon'ble Superintendent of Police, District Sarguja (C.G.)
3. Hon'ble Inspector General of Police, Bilaspur (C.G.)

... Respondents

For Petitioner	:	Mr. Yogeshwar Sharma, Advocate.
For Respondent-State	:	Mr. B. Gopa Kumar, Deputy Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/11/2015

1. The dispute in the present writ petition is for non-settlement of the retiral dues payable to the Petitioner particularly in respect of the general provident fund, the unpaid salary and other retiral benefits payable to the Petitioner.
2. Counsel appearing for the parties submitted that the present writ petition can be disposed of directing the Petitioner to approach the Committee constituted by the State Government to decide the dues pertaining to the pensionary benefits and other retiral dues.
3. This Court, in Writ Petition No. 4642 of 2004 (Baijnath Mandal v. The State of Chhattisgarh & others) and other connected matters, directed the Committee to consider the matter of retiral dues as the disputed question of facts were involved. The Committee was

constituted by the State Government, pursuant to the order dated 19.6.2006 passed in Writ Petition No. 1961 of 2006 (Smt. Keja Bai Chandrakar v. State Government of Chhattisgarh and others), and order dated 13.3.2008 passed in M.C.C. No. 105 of 2008 (State of Chhattisgarh and others v. Baijnath Mandal and another). Thus, this petition is squarely covered by the judgment and order dated 31st January, 2008 passed in Writ Petition No. 4642 of 2004 as submitted by learned counsel appearing for the parties.

4. This petition is accordingly disposed of in similar terms i.e., the office of the Advocate General is directed to send the case to the Committee, within a period of 15 days from the date of receipt of a copy of this order. Thereafter, the Committee shall issue notice to the Petitioner and the officers concerned within a further period of 15 days. The Committee shall consider and pass orders in accordance with law, after affording proper opportunity of hearing to the Petitioner. The Petitioner and the officers concerned may file additional documents, if necessary. The entire exercise, including payment of retiral dues, if any, to the Petitioner, be completed within a period of six months from the date of receipt of copy of this order.

5. The Petitioner shall supply one complete set of the writ petition to the State Counsel as well as to the Counsel for the Accountant General for transferring the same to the Committee.

6. The writ petition stands disposed of accordingly.

Sd/-
(P. Sam Koshy)
Judge