

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1364 of 2015**

- M. P. Singh S/o Shri C.S. Malik, Aged About 65 years Tetired Assistant Engineer, R/O Behind Guru Ghasidas School, Nehru Nagar, Bilaspur District Bilaspur Chattisgarh

---- Petitioner**Versus**

1. The Commissioner, Chhattisgarh Grih Nirman Mandal, Shankar Nagar, Raipur, District-Raipur Chhattisgarh
2. The Executive Engineer/Estate Officer, Chhattisgarh Grih Nirman Mandal, Korba Division, Sub Division-Champa-Janjgir Chhattisgarh

---- Respondents

For Petitioner	:	Shri Bharat Rajput, Advocate
For Respondents	:	Shri Sanjay Patel, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****21/04/2015**

Heard learned counsel for the parties.

1. This petition is preferred seeking interest for delayed payment of the retiral dues to the petitioner.
2. The petitioner sought voluntary retirement on 26-2-2010, however, the dues were not paid to him, therefore, he preferred WP (S) No.7702/2010. During pendency of the said writ petition, the claims were settled, therefore, when the matter came up for hearing on 16-7-2012, the following order was passed by the Court:-

“1. Shri Rajput, learned counsel appearing for the petitioner submits that the relief as sought for by the petitioner has already been satisfied as the retiral dues of the petitioner has been settled. Thus, nothing survives for adjudication and this petition has become infructuous.

2. Shri Patel, learned counsel appearing for the respondents agrees with the submission made by Shri Rajput.

3. In view of the above, the writ petition is dismissed as having become infructuous.”

3. Since the petitioner himself made the statement that entire retiral dues has been settled and nothing survives for adjudication, a fresh petition claiming interest is not maintainable because in the earlier writ petition he had prayed for consequential reliefs but was satisfied on release of pension and retiral dues.

4. In view of the above, the writ petition is dismissed.

JUDGE

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