

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WRIT APPEAL NO. 500 OF 2014

1. State of Chhattisgarh, through the Principal Secretary, Department of Forest, Govt. of Chhattisgarh, Mantralaya, DKS Bhawan, G.E. Road, Raipur (C.G.) (now Mahanadi Bhawan, Mantralaya, Naya Raipur (C.G.))
2. The Divisional Forest Officer, Forest Division Dhamtari, District Dhamtari, Forest Circle, Raipur (C.G.)
3. The Additional Principal Chief Conservator of Forest (Administration), Govt. of Chhattisgarh, Raipur (C.G.)

... Appellants

Versus

1. Smt. Indu Singh, W/o Late Shri Amar Deo Singh Rathore, aged about 43 years, Daffari/Record Keeper, office of the Conservator of Forest, Durg Circle, Durg (C.G.), R/o R-28, Padmanabhpur, PS Padmanabhpur, Durg, District Durg (C.G.)
2. State of Madhya Pradesh, through Principal Secretary, Forest Department, Govt. of M.P., Mantralaya, Vallabh Bhawan, Bhopal (M.P.)
3. The Conservator of Forest (Administration), Madhya Pradesh, Bhopal (M.P.)

... Respondents

For Appellants	:	Mr. UNS Deo, Government Advocate.
For Respondent No.1	:	Mr. V.G. Tamaskar, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Judgment on Board

Per NAVIN SINHA, C.J.

02/11/2015

1. The present appeal arises from order dated 4.1.2013 allowing Writ Petition No. 2195 of 2003 holding that Respondent No.1 was entitled to family pension consequent to her husband having been deceased while in service and with regard to which she had already been granted compassionate appointment.

2. In view of the submissions filed on behalf of the Appellants on 3.10.2015, we do not consider it necessary to go into the merits of the matter as the Appellants have acknowledged the liability for payment of family pension for the reason that the Learned Single Judge has held that denial of confirmation to the deceased during his lifetime though eligible was arbitrary. The appeal is therefore disposed in terms of the submissions dated 3.10.2015 of the Appellants holding Respondent No.1 eligible for family pension though she will not be entitled to Dearness Allowance upon the same in view of government circulars dated 26.5.2015 and 31.10.2015.

3. Let the arrears be paid to Respondent No.1 within a maximum period of three months from the date of receipt and/or production of copy of this order, and regular payment be continued thereafter in accordance with law.

4. The appeal is dismissed with the aforesaid directions.

Sd/-
(Navin Sinha)
Chief Justice

Sd/-
(P. Sam Koshy)
Judge