

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2565 of 2015

Smt. Rajkumari Thakur W/o Yahswant Singh Thakur, Aged about 47 years, Occupation- Service, Presently Posted as Supervisor the Office of Scheme Officer, Integrated Child Development Scheme, Pandariya, P.S.- Pandariya, Civil and Revenue Distt. - Kabirdham (Chhattisgarh)

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary- Women and Child Development Department, Mahanadi Bhawan, Naya Raipur, Civil and Revenue Distt. - Raipur (Chhattisgarh)
2. Director, Women and Child Development Department, Directorate, Raipur, Civil and Revenue Distt.- Raipur (Chhattisgarh)
3. Collector, Kabirdham, Civil and Revenue Distt.- Kabirdham (Chhattisgarh)
4. Sub- Divisional Officer (Revenue) Pandariya, Civil and Revenue Distt.- Kawardha (Chhattisgarh)
5. Scheme Officer, Integrated Child Development Scheme, Pandariya, Civil and Revenue Distt.- Kabirdham (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Avinash Singh, Advocate
For Respondent/State	:	Shri Shashank Thakur, Govt. Adv.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

17/07/2015

The prayer of the petitioner in the instant petition is that the petitioner had remained absent for about two years on the ground of medical ailment. Though she had appropriately applied for leave for the said period which was duly sanctioned yet the respondents have not released the payment of the said period.

Counsel for the petitioner submits that even subsequently also the petitioner has been on leave on account of various reasons for which she has moved appropriate application for grant of leave but the respondent/authorities have not released the salary for the said period of absence and also not released the salary for the period she has been working subsequent to her resuming duty after recovery of her health.

Counsel for the State, at this juncture, submits that let the petitioner make a fresh representation giving the details of the period for which she is

claiming salary specifically showing the proof of applying grant of leave and the sanction so granted by the authorities and the other relevant documents requiring performing of duties for the period for which she has not been granted the salary, in turn, the concerned authority shall consider the representation of the petitioner in accordance with law on its own merit.

In the light of the submission made by the State counsel, the instant writ petition is being disposed of with a direction that the petitioner shall make a fresh representation to the respondents giving the details of the period of absence, the leave applications submitted by the petitioner and the sanction, if any granted by the authority and also the proof of the petitioner having performed duties for the period for which she has not been granted the salary. The representation shall be made within a period of three weeks from today and on such representation being made, the concerned authority shall take an appropriate decision in accordance with law on its own merit within a period of three months from the date of receipt of representation. Needless to say that the respondents shall dispose of the representation by a speaking order.

With the aforesaid observation, the instant writ petition stands disposed of.

Sd/-
(P Sam Koshy)
Judge