

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3240 of 2015

- V. V. Malaiya S/o Shri Bhagirathi Malaiya, Aged About 48 Years Working As Sub Engineer Water Resources Department, Fingeshwar, Revenue District Gariyaband, Civil District Raipur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Thorough The Secretary, Department Of Water Resources, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur Chhattisgarh
2. Secretary, Department Of Panchayat, Mahanadi Bhavan, Mantralaya, New Raipur District Raipur Chhattisgarh
3. Engineer-In-Chief, Water Resources Department, Raipur, Chhattisgarh
4. Executive Engineer, Water Resources Department, Division Gariyaband, District Gariyaband Chhattisgarh
5. Accountant General, State Of Chhattisgarh, District Raipur Chhattisgarh
6. Chief Executive Officer, Janpad Panchayat Manpur, District Rajnandgaon Chhattisgarh

---- Respondent

For Petitioner	Mr. Hemant Kesharwani, Advocate
For Respondent /State	Mr. P.K. Bhaduri, Government Advocate
For Respondent No.5.	Mr. Ashwani Shukla, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

3/9/2015

Heard finally with the consent of learned counsel for the parties.

(2) It is argued by learned counsel for the petitioner that despite two earlier orders in W.P.(S) Nos.2373 of 2014 and 400 of 2015, the petitioner has not been paid salary for the period from 01.09.2011 to 15.08.2013, because, at some point of time, the petitioner was placed under suspension and there was some discrepancy concerning the old and new GPF Account numbers of the petitioner.

(3) Considering the orders passed by this Court and for the fact that the matter only pertains to grant of salary, the writ petition is disposed of with a direction that in the event, the petitioner prefers a representation before respondent 2 with a copy to respondent No.1 within a period of 15 days from today, respondent No.2 shall take a decision in consultation with respondent No.1 and pass a speaking order within a period of 2 months thereafter. If the petitioner is found entitled, he shall be paid the salary within an outer limit of 3 months from today. However, if the petitioner is not paid salary within the said period and later on, it is found that the petitioner is entitled for the salary for above stated period, then, he shall also be entitled for interest @ 18% per annum from the date when the amount fell due.

Sd/-

Judge

(Prashant Kumar Mishra)