

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.3995 of 2015**

Baldau Prasad Sharma S/o Hanuman Prasad Sharma, aged about 62 years, Retd. (Subedar) from the Office of Superintendent of Police, STF, headquarter Baghera, District Durg (C.G.)

---- **Petitioner**

Versus

1. State of Chhattisgarh, Through, The Secretary, Home Department, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur (C.G.)
2. Superintendent of Police, STF, Baghera, District Durg (C.G.)

---- **Respondents**

For Petitioner:	Mr. Vimal Kumar Tondey, Advocate.
For Respondent/State:	Ms. Astha Shukla, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board**

04/11/2015

1. By this petition, the petitioner is seeking direction to the respondents to finalize the pension and grant of other remaining retiral benefits without delay.
2. Learned counsel appearing for the parties would submit that the issue involved in the present writ petition can be considered by the Pension Committee.
3. This Court, in W.P.No. 4642/2004 (Bajinath 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 W.P.No. 1961/2006 (Smt. Keja Bai Chandrakar v. State Government & others) and the order dated 13-3-2008 passed in M.C.C.No.105/2008

(State of Chhattisgarh & others v. Baijnath Mandal & another). Thus, this petition is squarely covered by the judgment and order dated 31-1-2008 passed in W.P.No.4642/2004 {Baijnath Mandal (supra)} as submitted by learned counsel appearing for the parties.

4. This petition is accordingly disposed of in the same 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 the petition from the petitioner and 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 order, in accordance with law, after affording proper opportunity of hearing to the parties. The petitioner and the officers concerned may file additional documents, if necessary. The entire exercise, including retiral dues of the employee and other pensionary benefits, if any, to the petitioner be completed within a period of three months from the date of receipt of a copy of this order.
5. The petitioner shall supply extra copy of the petition to the learned counsel appearing for the State/respondents for forwarding the same to the Committee.
6. Learned counsel for the petitioner would submit that liberty may be reserved in favour of the petitioner to move fresh writ petition, if the decision made by the Committee is decided against the petitioner.
7. Liberty as prayed for is granted.
8. Accordingly, the writ petition stands disposed off.

Sd/-
(Sanjay K. Agrawal)
Judge