

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1384 of 2015**

- M.L. Chandra S/O Late Shri Ramlal Chandra Aged About 67 years Retired, JMI (Junior Malaria Inspector), R/O Tahsil Dabhara & District Janjgir Champa Chhattisgarh

---- **Petitioner****Versus**

1. State of Chhattisgarh Through Secretary, Education Department, Mahanadi Bhawan, Mantralaya Naya Raipur, District Raipur Chhattisgarh
2. Chief Medical officer & Health Officer, Health Department District Janjgir Champa
3. Block Medical Officer, PHC- Dabhara, District Janjgir -Champa
4. Accountant General Officer, Raipur, Chhattisgarh

---- **Respondents**

For Petitioner	:	Shri Ishwar Jaiswal, Advocate
For Respondent/State	:	Shri Y.S. Thakur, Dy. AG for the State
For Respondent No.4	:	Shri R.K. Tiwari, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****22/04/2015**

Heard learned counsel for the parties.

1. This case pertains to grievance of non-grant of retiral dues of the petitioner. Learned counsel appearing for the petitioner, on instructions, submits that the matter may be referred to the Pension Committee.

2. This Court, in W.P.No.4642/2004 (Baijnath Mandal Vs. The State of Chhattisgarh & others) and other connected matters, directed the Committee to consider the matter of retrial dues as the disputed question of facts were involved. The Committee was constituted by the State Government, pursuant to the order dated 19-06-2006 passed in W.P.No.1961/2006 (Smt. Keja Bai Chandrakar Vs. State Government of Chhattisgarh and others), and order dated 13-3-2008 passed in M.C.C. No. 105 of 2008 (State of Chhattisgarh and others Vs. Baijnath Mandal and another). Thus, this petition is squarely covered by the judgment and order dated 31st January, 2008 passed in W.P.No. 4642/2004 (Baijnath Mandal (supra) as submitted by learned counsel appearing for the parties.
3. 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 this order. Thereafter, the Committee shall issue a notice to the petitioner and 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 petitioner. The petitioner and the officers concerned may file additional documents, if necessary. The entire exercise, including payment of retrial dues, if any, to the petitioner, be completed within a period of four months from the date of receipt of a copy of this order.

JUDGE

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