

HIGH COURT OF CHHATTISGARH, BILASPUR

WP No. 904 of 2002

1. R.S.Vishwakarma, aged about 57 years, S/o Late Shri Parmoolal Vishwakarma, Ex Manager (Electrical), R/o Qr.No.8-B, Street – 5, Sector-B, Panchsheel Housing Society, Borsi, PO & Dist. Durg (CG).

---- Petitioner

Versus

1. Hindustan Steel Works Construction Ltd. (A Govt. of India Undertaking) through its Chairman-cum-Managing Director, 1, Shekspear Sarani, 8th Floor, Calcutta (WB).
2. Hindustan Steels Works Construction Ltd. (Bhilai Unit of respondent – 1), PO Bhilai – 1, Dist. Durg (CG).

---- Respondent

For Petitioner (in Person)

Shri R.S. Vishwakarma

For Respondents

Shri Vinod Deshmukh, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

09/11/2016

1. Petitioner is a retired employee of the respondent - Hindustan Steelworks Construction Limited ('HSCL' in short) having applied and granted voluntary retirement under the scheme floated by the HSCL.

2. Relief claimed in this petition is for release of retiral and other dues for which the petitioner is entitled in accordance with law including the VRS Scheme.
3. Shri Deshmukh, learned counsel for the HSCL, would point out that in the original writ petition the relief was only to the extent of refund of amount illegally recovered from the petitioner and other additional reliefs have been claimed by way of amendment.
4. Be that as it may, the issue pertaining to retiral and other benefits admissible to a retired employee of HSCL has been considered by this Court in WP No.2 of 2001 and in WA No.185 of 2007 and other connected writ appeals decided on 3-2-2015.
5. It is not disputed by Shri Deshmukh that the SLP preferred against the order passed by the Division Bench of this Court has been dismissed by the Supreme Court.
6. In view of the orders passed by this Court in WP No.2 of 2001 and WA No.185 of 2007 and other connected writ appeals, the present writ petition is disposed of with a direction that the petitioner shall file a fresh representation before the HSCL claiming all admissible dues including the amount withheld within a period of one month from today. The respondent HSCL shall, thereafter, decide the representation of the petitioner by a speaking order, in an

objective manner, and shall pay the entire admissible dues to the petitioner within a further period of two months from the date of submission of representation by the petitioner.

7. It is made clear that if the petitioner feels dissatisfied by rejection of any of his claim he would be at liberty to move afresh before this Court.
8. Certified copy of this order be supplied to the parties only after incorporation of the amendment by the petitioner in the writ petition.

Sd/-

Judge

Prashant Kumar Mishra

Gowri