

HIGH COURT OF CHHATTISGARH, BILASPUR**WP(S) No.1632 of 2016**

B.R. Son, son of late Shri Nanhelal, aged about 66 years, resident of Katiyapara Durga Chowk, Juna Bilaspur, City Kotwali, Bilaspur (CG).

---- Petitioner

Versus

1. State of Chhattisgarh, through the Principal Secretary, Department of Woman and Child Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, Mandir Hasod, District Raipur (CG).
2. District Programme Officer, Woman and Child Development, District Cell Bilaspur (CG).
3. Project Officer, Integrated Child Development Programme, Masturi, District Bilaspur (CG).
4. Director, Directorate of Treasury, Account and Pension, Raipur, District Raipur (CG).
5. Accountant General, Raipur, District Raipur (CG).

---- Respondents

For Petitioner : Shri Rahul Sharma, Advocate.
 For Respondents/State : Shri Raj Kumar Gupta, Assistant Solicitor General and Shri Neeraj Sharma, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

11/05/2016

(1) With the consent of learned counsel for the parties, the matter is heard finally.

(2) Learned counsel appearing for the parties submit that the matter may be referred to the Pension Committee.

(3) This Court, in W.P. No. 4642 of 2004 (*Bajjnath Mandal v. The State of Chhattisgarh & others*) and other concerned 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 19/06/2006 passed in W.P. No. 1961/2006 (*Smt. Keja Bai Chandrakara v. State Government of Chhattisgarh and others*), and order dated 13/03/2008 passed in M.C.C. No. 105 of 2008 (*State of Chhattisgarh and others v. 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 of 2004, *Baijanth Mandal (Supra)* as submitted by the learned counsel for the parties.

(4) The petition is accordingly disposed of in the same terms i.e. the Office of the Advocate General is directed to send the case of the petitioner 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 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 be completed within a period of six months from the date of receipt of a copy of this order.

(5) Registry is directed to supply one complete set of the writ petition to the State Counsel for transferring the same to the Committee.

(6) No order as to costs.

Sd/-

(Sanjay K. Agrawal)
Judge