

HIGH COURT OF CHHATTISGARH, BILASPUR**WP(S) No.1639 of 2016**

Smt. Neelmani Thakur, aged about 62 years, wife of Shri Mannu Singh Thakur, Occupation Retired Head Master, Government Primary School-Shahpur, Department of School Education, Tahsil Dharmajaigarh, District Raigarh (CG).

---- Petitioner

Versus

1. State of Chhattisgarh, through Secretary, Department of School Education, Mahanadi Bhawan, New Raipur (CG).
2. Secretary, Department of General Administration, Mahanadi Bhawan, New Mantralaya, Raipur (CG).
3. The Account General, Department of Accounts Treasury and Pension, Raipur (CG).
4. The Collector, District Raigarh (CG).
5. The Joint Director (Treasury, Accounts and Pension), Bilaspur (CG).
6. The District Education Officer, District Raigarh (CG).
7. The Block Education Officer, Block Dharamjaigarh, District Raigarh (CG).

---- Respondents

For Petitioner : Shri Vivek Bhakta, Advocate.
 For Respondents/State : Shri Ashwani Shukla, Assistant Solicitor General

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 (*Baijnath 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