

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 231 of 2016

1. Smt. Kamla Bai Gond W/o Krshna Maya Gond, Aged About 62½ Years, Retired Peon, R/o Gourela, Police Station Gourela, District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. Smt. Gayatri Netam Posted As Assistant Commissioner, Scheduled Caste And Scheduled Tribe Welfare, Bilaspur, District Bilaspur (Chhattisgarh)
2. Anbalgan P. Collector, Bilaspur, District Bilaspur (Chhattisgarh)
3. G.D. Gupta, Principal, Mishri Devi Government Girls Higher Secondary School, Gourela, District Bilaspur (Chhattisgarh)
4. Hemant Upadhyay, District Education Officer, Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondent

For Petitioner	Shri D.P. Mishra, Advocate
For Respondent No.1	Shri B.L. Sahu, Advocate appears on behalf of Shri A.S. Kachhawaha, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

30/08/2016

1. In WPS No.3094 of 2015 this Court had quashed the order of recovery of Rs.1,01,194/- and directed the respondents to refund the amount already recovered from the petitioner and not to

recover any further amount., however, liberty was reserved to recover the amount in accordance with law applicable to a retired employee after affording due opportunity of hearing.

2. In the return filed by the respondent No.1 it has been stated that all pending retiral dues have been paid to the petitioner.
3. At this juncture, learned counsel for the petitioner would point out that only 90% pension is paid to the petitioner, therefore, the contempt is still continuing.
4. In the order passed by this Court in WPS No.3094 of 2015 there was no direction for payment of pension. It was only directed against the recovery of amount of Rs.1,01,194/-.
5. In view of the above, there appears substantial compliance of the order passed by the Court. If the petitioner is aggrieved by the payment of only 90% pension amount, he may prefer fresh petition.
6. Accordingly, the instant contempt petition stands disposed of.

Sd/-

Judge
Prashant Kumar Mishra

Gowri