

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 52 of 2016**

- Naindas Ratre, Son of Shri Sakharam Ratre, aged about 72 years, (retired Peon in the Office of Nagar Palika Parisad Dhamtari), R/o Ramsagar Para, Post & Tahsil Dhamtari, District Dhamtari.

---- Petitioner**Versus**

1. State of Chhattisgarh, through the Secretary, Urban Administration & Development Department, Mahanadi Bhawan, New Mantralaya, Naya Raipur, District Raipur (CG).
2. Under Secretary, Government of Chhattisgarh, Urban Administration & Development Department, Mahanadi Bhawan, New Mantralaya, Naya Raipur, District Raipur (CG)
3. The Commissioner, Nagar Palik Nigam Dhamtari, District Dhamtari (CG).
4. The Collector, Dhamtari, District Dhamtari (CG)

---- Respondents

For Petitioner : Shri R.S.Patel, Advocate.
 For Respondents/State : Shri Dhiraj Wankhede, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****12/01/2016**

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

(2) Learned counsel appearing for the petitioner submits that the case, being payment of pension and retiral benefits 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 the petition from the petitioner and this order. Thereafter, the Committee shall issue notice to the petitioner and the 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 retiral dues, if any, to the petitioner be completed within a period of six months from the date of receipt of a copy of this order.

(5) The petitioner shall supply extra copy of the petition to the learned counsel appearing for the State/respondents for forwarding the same to the Committee.

(6) No order as to costs.

Sd/-
(Sanjay K. Agrawal)
Judge