

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 695 OF 2016**

Pardeshi Ram Tonde S/o Shri Heera Sai Tonde, Aged About 62 Years R/o
Village Chakarway, Tahsil Navaharh, Distt. Bemetra, (C.G.)

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, School Education Department, Mahanadi Bhawan, New Raipur, Distt. Raipur, (C.G.)
2. District Education Officer, Mungeli, District Mungeli, (C.G.)
3. Principal, Government Higher Secondary School Baitalpur, Block Pathariya, District Mungeli, (C.G.)
4. Accountant General Office, Raipur, Thana Raipur, Post Office Raipur, Distt. Raipur, (C.G.) Pin Code No. 492001

---- Respondents

For Petitioner	:	Mr. Dheerendra Pandey, Advocate.
For Respondents No. 1 to 3/ State	:	Ms. Astha Shukla, P.L.
For Respondent No.4	:	Mr. Raj Kumar Gupta, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/04/2016**

1. By this writ petition, the petitioner is seeking direction to the respondents to make payment of the illegal deduction of GPF amount of Rs. 10,000/- with 18% interest w.e.f. 1990 and *Samayman Vetanman*/two increments without delay.
2. Learned counsel appearing for the parties would submit that the issue involved in the present writ petition can be considered by the Pension Committee.
3. This Court, in W.P.No. 4642/2004 (Bajinath Mandal v. The State of Chhattisgarh & others) and other connected 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 19-6-2006 passed in W.P.No. 1961/2006 (Smt. Keja Bai Chandrakar v. State Government & others) and the order dated 13-3-2008 passed in M.C.C.No.105/2008 (State of Chhattisgarh & others v. Baijnath Mandal & another). Thus, this petition is squarely covered by the judgment and order dated 31-1-2008 passed in W.P.No.4642/2004 {Baijnath Mandal (supra)} as submitted by learned counsel appearing for the parties.

4. This writ petition is accordingly disposed of in the same terms i.e. the Office of the Advocate General is directed to send the case 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 parties. The petitioner and the officers concerned may file additional documents, if necessary. The entire exercise, including retiral dues of the employee and other pensionary benefits, if any, to the petitioner be completed within a period of three 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. Learned counsel for the petitioner would submit that liberty may be reserved in favour of the petitioner to move fresh writ petition, if the decision made by the Committee on anyone of the claims including

claim for interest is decided against the petitioner.

7. Liberty as prayed for is granted.
8. Accordingly, the writ petition stands disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge