

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 1105 OF 2017

Vijay Kumar Jangde S/o Late Shri Bhuvan Lal Jangde, Aged About 54 Years
R/o Katul Board, Ward No. 60, Post S A F Line Bhilai, Police Station Supela,
District Durg, (Chhattisgarh)

... Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Home Secretariat, Mahanadi Bhawan, New Raipur, P.S. And Post Rakhi, District Raipur, (Chhattisgarh)
2. Additional Director General Of Police (A D G P) Chhattisgarh Armed Force (C A F) Police Headquarter, Near Mahanadi Bhawan, New Raipur, P.S. And Post Rakhi, District Raipur (Chhattisgarh)
3. Inspector General Of Police (I G P), Chhattisgarh Armed Force 1, (C A F-1), Police Headquarter (P H Q), Near Mahanadi Mantralaya, New Raipur, P.S. And Post Rakhi, District Raipur (Chhattisgarh)
4. Commandant, 1st Battalion, Chhattisgarh Armed Force (C.A.F.), Bhilai, Police Station Supela, District Durg, (Chhattisgarh)
5. Commandant 14th Battalion, I. R. Chhattisgarh Armed Force (C.A.F.) Dhanora, District Balod (Chhattisgarh).

... Respondents

For Petitioner	:	Mr. Abhishek Pandey, Advocate.
For Respondent-State	:	Mr. Shashank Thakur, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/03/2017

1. The limited grievance of the Petitioner in the instant writ petition is that the Petitioner is aged about 54 years and that he has moved an application for releasing him on compulsory retirement, on 29.11.2016, before Respondent No.3, the Inspector General of Police, however no action is being taken by the Respondents on his application.
2. Counsel for the Petitioner submits that the application for grant of compulsory retirement has been initiated pursuant to Rule 42 of the Pension Rules governing the field and the Respondents are obliged to take a decision on the claim of the Petitioner which they are not doing and are sitting tight on the application and the Petitioner because of his ill-health is finding it difficult to discharge his duties.

3. Without expressing any opinion on the merit of the application which has been filed by the Petitioner, this Court does not intend to keep the matter pending, rather feels it proper to dispose of the writ petition with a direction to Respondent No.3 to take an appropriate decision on the application for grant of compulsory retirement moved by the Petitioner on 29.11.2016.

4. Let Respondent No.3 take a decision in this regard within a period of 60 days from the date of the Petitioner presenting the certified copy of this order before Respondent No.3.

5. With the aforesaid directions, the present writ petition stands allowed.
No order as to costs.

Sd/-
(P. Sam Koshy)
Judge