

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4554 of 2017

Jagannath Prasad Sahu S/o Late Narsingh Sahu, Aged About 63 Years R/o Police Station Sarsiwa, District Balodabazar Bhatapara, Chhattisgarh, Civil & Revenue District Balodabazar Bhatapara.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Capital Complex, Mahanadi Bhawan, Naya Raipur, Tahsil & District Raipur, Chhattisgarh.
2. The Accountant General, Chhattisgarh, Raipur,
3. The Joint Director, Treasury, Accounts & Pension, Balodabazar, Chhattisgarh.
4. The District Education Officer, District Raipur, Chhattisgarh.
5. The Principal, Government Higher Secondary School, Gatadih, Bhatapara, District Raipur, Chhattisgarh.

---- Respondents

For Petitioner	:	Ms. Supriya Upasane, Advocate
For State	:	Shri Satish Gupta, Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/09/2017

1. With the consent of learned counsel for the parties, the petition is heard finally.
2. This case pertains to grievance arising on account of non grant of retiral dues. Learned counsel appearing for the petitioner, on instructions, submits that the matter may be referred to the High Power Retiral Dues Committee.
3. This Court, in W.P.No.4642/2004 (Bajinath Mandal Vs. The State of Chhattisgarh & others) and other connected matters, directed the Committee to consider the matter of retrial 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

Chandrakar Vs. State Government of Chhattisgarh and others), and order dated 13-3-2008 passed in M.C.C. No.105 of 2008 (State of Chhattisgarh and others Vs. Baijnath Mandal and another). Thus, this petition is squarely covered by the judgment and order dated 31st January, 2008 passed in W.P.No.4642/2004 Baijnath Mandal (supra) as submitted by learned counsel appearing for the parties.

4. This petition is accordingly disposed off 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 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, including payment of retiral dues, if any, to the petitioner, be completed within a period of four months from the date of receipt of copy of this order.
5. The petitioner shall supply one complete set of the petition to the State counsel as well as counsel for the Accountant General for transferring the same to the Committee.

Sd/-
(Manindra Mohan Shrivastava)
Judge