

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5178 of 2017

Rambhau Singh Dhruw S/o Dukalu Singh Aged About 65 Years Retired
Parvekshak (Supervisor) , Community Health Centre Lormi Block Lormi
District Mungeli Chhattisgarh .

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Health Department
Mantrayalaya New Raipur Chhattisgarh .
2. Accountant General, Treasury Account & Pension Zero Point Baloda Bazar
Road Raipur Chhattisgarh .
3. Joint Director, Treasury, Account & Pension Bilaspur District Bilaspur
Chhattisgarh .
4. Collector, Mungeli District Mungeli Chhattisgarh .
5. The President , Retiral Dues Committee Office Of Accountant General
Raipur Chhattisgarh .
6. District Treasury Officer, Mungeli District Mungeli Chhattisgarh .
7. Chief Health & Medical Officer, Mungeli District Mungeli Chhattisgarh .
8. Block Medical Officer, Community Health Centre Lormi District Mungeli
Chhattisgarh .

---- Respondents

For petitioner : Mr. K. S. Pawar and Mr. Shashi Kushwaha, Advocates

For State : Ms. Sunita Jain, Panel Lawyer

For UOI : Mr. Ashwini Shukla, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

04/10/2017

1. Learned counsel for the parties would submit that the issue involved and the relief claimed in the present petition are required to be considered by the Pension Committee.

2. This Court in the matter of 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 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 Chandrakar Vs. State Government and others) and order dated 13/03/2008 passed in M. C. C. No. 105 of 2008 (State of Chhattisgarh & Others Vs. Bajinath Mandal and another). Thus, this petition is squarely covered by the judgement and order dated 31st of January, 2008 passed in W. P. No. 4642/2004 Bajinath Mandal (Supra) as submitted by learned counsel appearing for the parties.

3. This 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. The Committee shall consider and pass a reasoned order within a further period of 3 months, 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.

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

5. Learned counsel for the petitioner would submit that liberty may be reserved in favour of the petitioner to move a fresh writ petition if the decision made by the Committee on any of the claim including claim for interest is decided against the petitioner.

6. Liberty as prayed for is granted.

7. Accordingly, the writ petition stands disposed off.

Sd/-

(Manindra Mohan Shrivastava)

Judge