

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 313 of 2017**

- Manrakhan Lal Sahu S/o Gourishankar Sahu, aged about 62 years, Retired Peon, R/o Village Hardikala (Tona), P.S. Sirgitti, District Bilaspur (CG)

---- Petitioner**Versus**

1. State of C.G. through the Principal Secretary, Education Department, Mahanadi Bhawan, New Raipur (CG)
2. The Joint Director Accounts, Treasury and Pension, Bilaspur, District Bilaspur (CG)
3. The Block Education Officer, Pathariya, Block Pathariya, District Mungeli (CG)

---- Respondents

For Petitioner : Shri Anand Kumar Gupta, Advocate
 For Respondents/State : Shri Ashish Surana, P.L.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****19/1/2017**

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

(2) This petition pertains to grant of retiral dues, provident fund and gratuity amount.

(3) Learned counsel appearing for the parties submit that the matter may be referred to the Pension Committee.

(4) 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.

(5) The petition is accordingly disposed off 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 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 be completed within a period of six months from the date of receipt of a copy of this order.

(6) Registry is directed to supply one complete set of the writ petition to the State Counsel for transferring the same to the Committee.

(7) No order as to costs.

Sd/-

(Manindra Mohan Shrivastava)
Judge

B/-