

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 2735 OF 2017

Nand Kishore Mahapatre, S/o Late Upendra Mahapatre, aged about 63 years, retired employee, R/o Chakardhar Nagar, Kaserpara, Near Hanuman Mandir, Raigarh, Tahsil & District Raigarh, Civil and Revenue District Raigarh (C.G.)

... Petitioner

Versus

1. State of Chhattisgarh, through Secretary, Finance Department, Mahanadi Bhawan, Mantralay, Naya Raipur (C.G.)
2. The Commissioner, Directorate, Treasury and Pensions, Indrawati Bhawan, New Raipur, District Raipur (C.G.)
3. Accountant General, Zero Point, Baloda Bazar Road, Raipur, District Raigarh (C.G.)
4. The Collector, Raigarh, District Raigarh (C.G.)
5. The District Treasury Officer, Raigarh, District Raigarh (C.G.)
6. The Assistant Commissioner, Tribal Development, Raigarh, District Raigarh (C.G.)

... Respondents

For Petitioner	:	Mr. Manoj K. Sinha, Advocate.
For Respondent-State	:	Mr. S.P. Kale, Dy. Advocate General.
For Respondent No.3	:	Mr. R.K. Gupta, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29/06/2017

1. Challenge in the present writ petition is to the inaction on the part of the Respondents in not releasing the GPF amount payable to the Petitioner, in spite of his retirement with effect from 30.6.2016.
2. Learned Counsel for the State submits that let the case of the Petitioner be referred to the High Power Retiral Dues Committee already constituted by the State Government for redressal of the grievance of the employees who have retired and whose retiral dues have not been settled by the State.
3. In view of the aforesaid submission of the State Counsel, the office of the Advocate General is directed to send the case of the Petitioner to the said 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 orders 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 six months from the date of receipt of copy of this order.

4. The Petitioner shall supply one complete set of the writ petition to the State Counsel as well as the Counsel for the Accountant General for transferring the same to the Committee.

5. Considering the fact that the Petitioner has been retired from services with effect from 30.6.2016 and the impugned order has been passed after about one year from the date of his retirement, there shall be an interim stay of the effect and operation of the impugned order till the Committee takes a decision after considering the records including the service book and GPF pass book maintained of the Petitioner.

6. With the aforesaid direction, the writ petition stands finally disposed of.

Sd/-
(P. Sam Koshy)
Judge