

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2870 of 2017

Budhoo Singh Merabi S/o Late Shri Neti Merabi, Aged About 77 Years
Retired Head Master, R/o Village And Post Andi, Via Pendra, District
Bilaspur Chhattisgarh ----- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Education, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur Chhattisgarh.
2. Account General Of Chhattisgarh. Zero Point, Raipur, Raipur (Chhattisgarh)
3. Block Education Officer, Block Marwahi, District Bilaspur (Chhattisgarh)
----- **Respondents**

For Petitioner	: Mr. Ajay Shrivastava, Advocate
For State	: Mr. A.S. Kachhawaha, Additional A.G.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

06/07/2017

Heard.

1. With the consent of the parties, the matter is taken up for hearing finally.
2. This case pertains to grievance arising on account of non-grant of retiral dues. Learned counsel for the petitioner 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 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 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/-

(P.Sam Koshy)

J U D G E