

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 489 of 2016**

Smt. Veena Medhe Wd/o Kishor Kumar Medhe, aged about 54 years, R/o MIG - I, D- 48, Avantika, Abhilasha Parisar, Tifra, Bilaspur, District Bilaspur (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, Department of Public Health Engineering, Mantralay, Mahanadi Bhawan, Naya Raipur (Chhattisgarh)
2. The Engineer In Chief, Public Health Engineering Department, Chhattisgarh, H.Q. Indrawati Bhawan, Naya Mantralaya, Naya Raipur (Chhattisgarh)
3. The Superintending Engineer, Public Health Engineering Department, Ambikapur Circle, Ambikapur (Chhattisgarh)
4. The Executive Engineer, Public Health Engineering Division, Raipur (Chhattisgarh)
5. The Executive Engineer, Public Health Engineering Division, Balrampur (Chhattisgarh)
6. The Joint Director, Treasury, Account and Pension, Ambikapur Division, Ambikapur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri R. K. Kesharwani, Advocate
For Respondents/State	:	Shri Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****20/03/2017**

The present writ petition has been preferred assailing the order dated 19.12.2014 whereby the respondents have issued notice for recovery of Rs.5,70,000/- against the petitioner.

2. Grievance of the petitioner is that her husband late Kishor Kumar Medhe was working as Assistant Engineer under respondent no.5 and he died in harness on 13.05.2014. After death of the employee, the respondent- authorities have not processed the pension and other dues payable to the petitioner i.e. the widow of the deceased employee.

3. Counsel for the petitioner submits that in between Annexure P-1 dated 19.12.2014 has also been issued whereby the respondents have shown a

recovery to be made against the deceased employee to the tune of Rs.5,70,000/-. He submits that the petitioner in between had also filed another writ petition i.e. WPS No. 5897/2016 for grant of pension and other retiral dues. This Court vide its order dated 26.10.2016 disposed of the said writ petition directing the parties to approach the Committee constituted by the State Govt. for redressal of the retiral dues of government employees. Counsel for the petitioner fairly submits that the matter which has been referred to the Committee also includes the order of recovery of Rs.5,70,000/-.

4. In view of the fact that in the earlier writ petition, the matter already being referred to the Committee constituted by the State Govt. for redressal of the grievances of the petitioner where the issue involved in the present case i.e. the order of recovery of Rs.5,70,000/- is also inclusive, in the opinion of this Court, nothing further remains to be adjudicated upon in the present writ petition.

5. Let the petitioner raise this fact if it has not raised before the concerned Committee. The petitioner shall also bring to the notice of the Committee the note sheet dated 05.08.2015 whereby the Senior Accounts Clerk makes a noting that out of Rs.5,70,000/- advance made to the deceased employee, vouchers in respect of Rs.5,69,873/- has been received and the same has been adjusted accordingly.

6. Let this fact be also taken into consideration by the Committee while deciding the issue of releasing the retiral dues and pensionary benefits to the petitioner. Since the earlier writ petition was disposed of in October, 2016 and no final order has been passed in the case of the petitioner, it is expected that the Committee shall take a decision positively within a period of 90 days from the date of receipt of certified copy of this order.

7. With the aforesaid observation, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE