

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 226 of 2014

R.S. Gupta S/o Late R.G. Gupta Aged About 68 Years R/o Ward No. 2,
Kududand, Police Station Civil Line, Tahsil Bilaspur, Revenue And Civil
Distt. Bilaspur C.G.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Public Health & Family Welfare Department, Mantralaya, New Raipur, Police Station Rakhi, Distt. Raipur C.G.
2. Joint Director Treasury, Accounts & Pension, Raipur, Distt. Raipur C.G.
3. The Director Health Services, State Of C.G., Raipur, Indrawati Bhawan 3rd Floor, New Raipur Distt. Raipur C.G.
4. Chief Medical & Health Officer Raipur, Distt. Raipur C.G.

---- Respondents

Shri Pushpendra Kumar Patel, counsel for the petitioner/s.
Ms. Sunita Jain, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

19/07/2017

The petitioner's grievance raised on account of non-payment of gratuity, leave encashment and pension.

At the outset, learned counsel for the petitioner does not dispute that vide order dated 07/01/2005, the petitioner has been dismissed from service upon his conviction under Prevention of Corruption Act, 1947. If that be so, per force provisions contained in Rule 24 of the CG Civil Services (Pension) Rules, 1976, pensionary benefits like pension, gratuity, leave encashment stands forfeited. Therefore, no orders can be passed. It is submitted that the order of dismissal is challenged separately.

In view of above, this petition is dismissed. In case, the petitioner

succeeds in the petition challenging the order of dismissal from service, it would be open for him to revive his claim for payment of gratuity, pension, leave encashment etc.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Deepti