

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.1135 of 2017**

Kirti Kumar Kashyap, S/o Shri Ramavtar Kashyap, aged about 63 years,
Rtd. Head Master, PO Kudkai Pendra, Bilaspur (CG).

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Education Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (Chhattisgarh)
2. Accountant General, Chhattisgarh Raipur (Chhattisgarh).
3. Block Education Officer, Marwahi District Bilaspur (Chhattisgarh).

---- **Respondents**

For Petitioner	:	Shri Ajay Shrivastava, Advocate.
For Respondents/State	:	Shri Mazid Ali, Panel Lawyer.
For respondent No.2.	:	Shri Bhupendra Singh Thakur, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

07/03/2017

1. This case pertains to grievance of non-grant of retiral dues. Learned counsel appearing for the parties submit that the matter may be referred to the Pension Committee.
2. This Court, in W.P.No.4642/2004 (*Bajjnath 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. Bajjnath 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.

3. 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 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, including payment of retiral dues, if any, to the petitioner, be completed within a period of six months from the date of receipt of a copy of this order.
4. 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)
Judge