

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2767 of 2017

L.R. Pathak S/o Late Shri Ramprasad Pathak, Aged About 66 Years R/o Plot No. 97, Street No. 4, Bardiya Vihar, Amlidih, District Raipur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Industrial And Training Department, Mahanadi Bhawan Mantralay, New Raipur (Chhattisgarh)
2. The Commissioner, Employment And Training, Indrawati Bhawan, First Floor, District Raipur (Chhattisgarh)
3. The Joint Director (Training) Industrial Training Institute, Raipur Circle, District Raipur (Chhattisgarh)
4. The Principal, Industrial Training Institute, Raipur Circle, Saddu, District Raipur (Chhattisgarh)
5. The Accountant, Industrial Training Institute, Raipur Circle, District Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Prakash Tiwari, Advocate
For State	:	Ms. Sunita Jain, Panel Lawyer

S.B. Hon'ble Shri Justice P. Sam Koshy

Order On Board

30/06/2017

Heard.

1. The case of the petitioner in the present writ petition is that the petitioner retired from the post of Assistant Grade-I from the office of respondent No.4 with effect from 30.6.2011. His grievance is that though he retired in the month of June, 2011 and in spite of six years having been elapsed, the petitioner has not been paid his retiral dues inclusive of leave encasement and other pensionary benefits and much to his surprise, in the year 2014, the respondents have released provisional pension in favour of petitioner to the tune of 90 per cent.
2. Learned counsel for the petitioner submits that the petitioner has not been subjected to any disciplinary proceedings nor was there any such proceedings pending at the time of his retirement. The petitioner has also not been subjected

to any recovery proceedings at any point of time and to the best of his knowledge, there are no dues outstanding against the petitioner also, yet the respondent authorities have not cared to release retiral dues and other pensionary benefits payable to the petitioner.

3. In view of the aforesaid submission made by learned counsel for the petitioner, this Court is of the opinion that no fruitful purpose would be served in keeping the petition pending by issuance of notice to the respondents, rather than ends of justice would meet if the petition is disposed of at this juncture with a direction to respondents No.2 & 3 to look personally into the grievance of the petitioner so far as his non-payment of retiral dues and also the pension payable to him is concerned. The petitioner is directed to approach respondents No.2 & 3 within a period of 15 days from today and make a detailed representation in respect of all the dues which are receivable to him and the respondents No.2 & 3, in turn, shall consider and take appropriate decision with regard to grievance of the petitioner within a further period of 2 months from the date of receipt of the representation. In the event the petitioner is found entitled for retiral dues and other pensionary benefits, the same shall be released forthwith without any delay. However, in the event the same has been withheld for some genuine reason, the same shall also be communicated to the petitioner promptly.
4. The petition is accordingly disposed off.

Sd/-
(P. Sam Koshy)
Judge