

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4706 of 2016

- Smt. Urmila Dansena W/o Shri Nohar Prasad Dansena, Aged About 67 Years, Retired Supervisor, Woman & Child Welfare Department, Block Gharghoda, District-Raigarh (C.G.), R/o Behind Rest House Gharghoda, District Raigarh, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Panchayat And Social Welfare Department, Mahanadi Bhawan, Mantralaya, New Raipur, District-Raipur, Chhattisgarh.
2. State Of Chhattisgarh Through : The Secretary, Woman And Child Welfare Department, Mahanadi Bhawan, Mantralaya, New Raipur, District-Raipur, Chhattisgarh.
3. Collector, Jashpur, District-Jashpur, Chhattisgarh.
4. Accountant General, Chhattisgarh Govt. Zero Point, Post-Mandher, Baloda-Bazar Road, Raipur, District-Raipur, Chhattisgarh.
5. District Programme Officer, Woman And Child Welfare Department, Pharsabahar, Jashpur Nagar, District Jashpur Chhattisgarh.
6. Block Development Officer, Woman And Child Welfare Department, Pharsabahar, Jashpur Nagar, District-Jashpur, Chhattisgarh.
7. Joint Director, (Treasury Accounts & Pension) Bilaspur Division, District-Surguja, Chhattisgarh.
8. District Treasury Officer, Jashpur, District Jashpur, Chhattisgarh.

---- Respondents

For Petitioner	Ms. Naushina Afrin Ali, Advocate
For Respondent-State	Shri Arvind Dubey, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

04/04/2017

1. The issue pertains to non counting of services rendered in the previous department w.e.f. 13.05.1969 for the purposes of pension, therefore, the matter being essentially relating to dispute with regard to payment of full pension for which the petitioner is entitled, it is referable to the Pension Committee.
2. This Court in the matter of W.P. No. 4642/2004 (*Bajnath Mandal v. The State of Chhattisgarh & Others*) and other connected matters directed the Committee to consider the matter of retiral 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 and Others*) and order dated 13/03/2008 passed in M.C.C. No. 105 of 2008 (*State of Chhattisgarh & Others V. Bajinath Mandal and another*). Thus, this petition is squarely covered by the judgment and order dated 31st of January, 2008 passed in W.P. No. 4642/2004 *Bajnath 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 the petition from the petitioner and this order. The Committee shall consider and pass a reasoned order within a further period of 3 months, in accordance with law, after affording proper opportunity of hearing to the parties. The Committee shall also consider the grounds raised in this writ petition. The

petitioner and the officers concerned may file additional documents, if necessary. The entire exercise, including retiral dues of the employee and other pensionary benefits, if any, to the petitioner be completed within a period of three months from the date of receipt of a copy of this order.

4. The petitioner shall supply extra copy of the petition to learned counsel appearing for the State/respondents for forwarding the same to the Committee.
5. Learned counsel for the petitioner would submit that liberty may be reserved in favour of the petitioner to move a fresh writ petition if the decision made by the Committee on any of the claim including claim for interest is decided against the petitioner.
6. Liberty as prayed for is granted.
7. Accordingly, the writ petition stands disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

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