

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 770 of 2018**

Dataram Banjare S/o Late Bholaram Banjare Aged About 63 Years Retired Head Master, Government Middle School Dhardei Pamgarh Block Pamgarh District Janjgir Champa Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, School Education Department Mantralaya New Raipur Chhattisgarh.
2. District Education Officer, Janjgir Champa District Janjgir Champa Chhattisgarh.
3. Accountant General, Treasury, Account And Pension, Zero Point Baloda Bazar Road Raipur Chhattisgarh.
4. Block Education Officer, Pamgarh District Janjgir Champa Chhattisgarh.
5. The President, Retiral Dues Committee, Office Of Accountant General Raipur Chhattisgarh.
6. Joint Director, Treasury Account And Pension, Composite Building Bilaspur District Bilaspur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. K. S. Pawar, Advocate.
For Respondents/State	:	Mr. Ashish Surana, Panel Lawyer.
For Account General	:	Mr. Rajkumar Gupta, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****22/01/18**

1. Learned counsel for the parties would submit that that issue involved and the relief claimed in the present petition are required to be considered by the Pension Committee.
2. This Court in the matter of W.P. No. 4642/2004 (*Bajjnath 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 v. State Government and Others*) and order dated 13.03.2008 passed in M.C.C. No. 105 of 2008 (*State of Chhattisgarh & Others v. Baijnath Mandal and another*). Thus, this petition is squarely covered by the judgment and order dated 31.01.2008 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 15b days from the date of receipt of copy of the petition from the petitioner and this order. The Committee shall consider and pass a reasoned order within a further period of three months, in accordance with law, after affording proper opportunity of haering to the parties. 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 copy of this order.

4. The petitioner shall supply extra copy of the petition to the 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/-

(Sanjay K. Agrawal)
Judge