

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3755 of 2011**

Ram Pravesh Shrivastava, S/o. Late J.P. Shrivastava, Aged about 63 years, R/o. Village and Post Machakana, Police Station Hussainganj, District Siwan, Bihar.

---- Petitioner**Versus**

1. South Eastern Coalfields Limited, Through: the Chairman-cum-Managing Director, Seepat Road, Bilaspur, Chhattisgarh
2. Chief General Manager, SECL Bishrampur, District Surguja Chhattisgarh
3. Additional-cum-Deputy Chief Personnel Manager, SECL Bishrampur, District Surguja, Chhattisgarh
4. General Manager, SECL Bishrampur, District Surguja, Chhattisgarh
5. Sub Area Manager-cum-Deputy General Manager, SECL Kumda/Bishrampur, Open Cast Mines, District Surguja, Chhattisgarh
6. Colliery Manager-cum-Superintendent of Mines, SECL Kumda/Bishrampur, Open Cast Mines, District Surguja, Chhattisgarh

----Respondents

For Petitioner	:	None.
For State	:	Mr. Rahul Mishra, Advocate under instructions Mr. K.K. Shrivastava, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****13/07/2018**

1. None appears for the petitioner when the matter is called on two occasions.
2. The grievance of the petitioner is to the extent of not granting the full wages, which the petitioner was entitled for w.e.f. 1990 and further to grant the petitioner the regular pension and other retiral dues along with arrears with interest @18%.
3. Perusal of the record shows that the present writ petition in the past also has been dismissed in default on a couple of occasions and later

on restored. Today also there is no representation on behalf of the petitioner.

4. Considering the limited grievance which the petitioner has raised and also taking note of the reply which the respondents have filed, which shows that the petitioner has been paid certain retiral dues from time to time and the dispute only left is as to whether whatever the petitioner has received is in fact the correct assessment made or the actual payment, which he was otherwise entitled for or not. This would be a matter which has to be scrutinized at the departmental level and which may not be possible for this Court to look into in exercise of its power under Article 226 of the Constitution of India. This Court thus is of the opinion that ends of justice would meet if the petition itself is disposed of with a direction to the petitioner to move a fresh detailed representation to the respondent No.2 giving specific details as to the amount of money that he has received on his retirement and what is the remaining amount which is left to be paid according to him and what is the basis for such a claim.
5. On receipt of such a representation from the petitioner, the respondent No.2 in turn shall scrutinize the same in accordance with the Rules position as it applies, so far as the service conditions of the petitioner is concerned and decide the representation of the petitioner as expeditiously as possible preferably within a period of 90 days from the date of receipt of the representation, if any, made by the petitioner.
6. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge