

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1598 of 2018**

Dharam Lal Bhardwaj Kusu Ram Bhardwaj, Aged About 64 Years, Retired Lecturer, Govt. High School Bharari, Block Masturi, District Bilaspur, R/o Village Borsi, Post Kosa, Tahsil Pamgarh, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Accountant General, Treasury, Account And Pension, Zero Point, Baloda Bazar, Raipur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Joint Director, Treasury, Account And Pension, Bilaspur Division, Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
5. Block Education Officer, Masturi, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. K.S. Pawar and Mr. Shashi Kumar Kushwaha, Advocate.
For Respondent / State	:	Mr. Ashwini Shukla, ASG and Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****20/02/18**

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. Bajjnath 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 *Bajjnath 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 hearing 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

Priyanka