

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 1762 of 2018

Naresh Kumar Sahu S/o Shri Nityanand Sahu, aged about 55 years,
R/o D-10, Gulmohar Vatika, Near Anmol Super Bazar, Mahaveer Nagar,
Raipur (C.G.).

---Petitioner

Versus

1. State of Chhattisgarh, Through the District Magistrate, Raipur (C.G.).
2. The District Magistrate, Raipur (C.G.).
3. State Bank of India, Through its Deputy General Manager, Zonal Office,
Byron Bazar, Raipur (C.G.).
4. The Regional Manager, State Bank of India, Regional Business Office,
Region-V, First Floor, City Centre, Near New Bus Stand, Kanker (C.G.).
5. The Authorized officer, Central Processing Centre, Ground Floor,
Administrative Office, Byron Bazar, Raipur (C.G.).

---Respondents

For petitioner	:	Shri Manish Nigam, Advocate.
For respondent No. 3 & 4	:	Shri P.R.Patanker, Advocate.
For State	:	Ms.Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/03/2018

1. Present Writ Petition has been filed by the petitioner seeking release of his retiral benefits including pension and pensionary benefits. The further relief sought was for the issuance of direction to the respondents to adjust the outstanding loan amount against the petitioner from the retiral dues and pensionary benefits payable to him.
2. The employer of the petitioner i.e. the respondents No. 3 & 4 have entered appearance and the respondent No. 4 have also filed a counter

affidavit who in his affidavit has accepted the fact that, as the services of the petitioner have been seized as he stood compulsory retired with effect from 27/02/2018, subject to the petitioner filling up all the requisite forms which are required for releasing of retiral dues, the same shall be processed as expeditiously as possible preferably within the outer limit of 60 days.

3. This proposal of the respondent is acceptable to the petitioner that he shall at the earliest approach the respondents and shall fill up all the requisite forms which are required for release of the pension and retiral dues.

4. Accordingly, the present Writ Petition stands disposed off with a direction that, the petitioner within a period of 15 days from today shall approach the respondent No.4 and shall fill up all the requisite forms for settlement of his retiral dues including pension and pensionary benefits.

5. Needless to mention that, the employer shall also have the right of adjusting any outstanding dues pending against the present petitioner/employee which the petitioner has taken from the bank as loan.

6. At the same time, the petitioner would also be at liberty to approach the respondent No.4 by moving an appropriate application for restructuring of repayment of the loans which stands outstanding against him. On such request being made, the same may be considered in accordance with the rules and guidelines applicable in the department.

7. The petitioner would also be at liberty to approach the DRT if he is aggrieved against the notice under Section 13 (2) of SARFAESI Act and the subsequent notices issued by the bank against the petitioner.

8. With the aforesaid directions, the present Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit