

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2153 of 2018**

Dr. Rashmi Priyanka D/o Late Shri Keshav Ram Dubey Aged About 58 Years R/o A - 24, Chandela Nagar, Ring Road 2, PS Civil Lines Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Higher Education, Mantralaya, Mahanadi Bhawan, Naya Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Commissioner, Higher Education, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Collector, Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Principal, Govt. Bilasa Kanya Mahavidyalaya, Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. N. Naha Roy, Advocate.
For Respondent/State	:	Mr. Shashank Thakur, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****08/03/18**

1. The limited grievance of the petitioner is that though she has applied for voluntary retirement with effect from 31.07.2016 but the same was accepted only with effect from 10.09.2016 and in between 01.08.2016 to 10.09.2016 the petitioner was shown to be on duty but she had not gone to work as she had applied for medical leave. The contention of the petitioner is that since there was sufficient medical leaves available to the credit of the petitioner, her claim for considering these 40 days should have been adjusted as medical leave and thereby she would have been entitled for the

salary of these 40 days period. Learned counsel for the petitioner further submits that the petitioner has made repeated representation in this regard to the respondents but no action has been taken by the respondents in this regard.

2. At this juncture, learned counsel appearing for the State submits that let the petition itself be disposed of directing the respondents No. 2 and 4 to decide the petitioner's representation a stipulated period.

3. Accordingly, the writ petition is disposed of with a direction to the respondents No. 2 and 4 to decide the petitioner's representation within a period of 45 days and, in case, if the petitioner is entitled for the salary for the 40 days period, the same shall be released to her forthwith and if, for some reason, she is not entitled for the said salary, the petitioner shall also be intimated of the same by a speaking order.

Sd/-

(P. Sam Koshy)
Judge