

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 5987 OF 2011**

Lakhan Singh Rajput S/o late Shri Manohar Singh Rajput, aged about 67 years, R/o village and Post Chhurikala, Teh. Katghora, Distt. Korba (CG).

...Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Energy & Power Department, DKS Bhawan, Raipur (CG).
2. C.G. Power Generation Company Maryadit Through Managing Director, Daganiya, Raipur (CG).
3. M.P. Power Transmission Company Ltd. Through Secretary, Shakti Bhawan, Rampur, Dist. Jabalpur (MP).

... Respondent(s)

For Petitioner	:	Shri KPS Gandhi, Advocate.
For Respondent-State	:	Shri Chandresh Shrivastava, PL.
For Respondent No.2	:	Ms. Veena Nair, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29.06.2018.

1. The relief sought for by the petitioner in the instant writ petition is for transferring his pension account from respondent No.3-establishment to the respondent No.2.
2. The counsel for the petitioner submits that the petitioner has retired from service under the respondent No.3 on 31.12.2001. Post retirement, the petitioner has shifted to his native place i.e. district Korba (CG) which falls within the territories of the State of Chhattisgarh. His pension papers and accounts are being maintained at Jabalpur. The petitioner is now 73 years of age as on date and it is practically not feasible for him to go before the respondent No.3 each time for producing the live certificate with which he is entitled for pension. He further submits that he has

already made a representation to the respondent No.3 vide Annexure P/5 and therefore prays that this petition may be disposed of directing the respondent No.3 to decide the said representation.

3. The said prayer is not opposed by the counsel for the respondents No.1&2.
4. Based on the submissions made by the counsel for the petitioner and also considering the age of the petitioner, this court is of the opinion that the relief of transferring pension account from respondent No.3 to the respondent No.2 cannot be said to be in any manner unreasonable and that document in the petition show that the respondent No.3 in the past have transferred pension account of similarly placed persons to the respondent No.2 vide order dated 29.05.2009.
5. Given the aforesaid facts and circumstances of the case, let the petitioner make a fresh representation in addition to Annexure P/5 that he has made within a period of 15 days from today and on such representation being made, the respondent No.3 should consider and decide the same on its merit keeping in mind the order passed by the respondent No.3 on 29.05.2009 by passing a speaking order within a further period of 90 days.
6. With the aforesaid directions, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge