

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5081 of 2018**

Kamal Kumar Samria S/o Late Shri Shrichand Jee Samria, Aged About 73 Years Present R/o A/209- Sahnai Residency- 2, Bangali Chowraha Kandiya Road, Indore. Madhya Pradesh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Public Work Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Engineer- In Chief, Public Works Department, Raipur, District Raipur, Chhattisgarh.
3. Joint Commissioner, Treasury Account And Pension, Raipur, District Raipur, Chhattisgarh.

----Respondents

For Petitioner	:	Mr. V.K. Pandey, Advocate
For State	:	Mr. Dheeraj Wankhede, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****08/08/2018**

1. The grievance of the petitioner is that the petitioner has crossed the age of superannuation on 31.07.2005 and till date the petitioner has not been given the entire retiral dues, which he was otherwise entitled for.
2. The only ground which the petitioner apprehends for not releasing of the entire pensionary benefits is the periodical suspension orders which had been issued against the petitioner. According to the petitioner all the suspension orders were ultimately revoked and no punishment order has been issued to the petitioner; neither was there any departmental enquiry pending even at the time of his retirement, except for a suspension order, which too has been later on revoked.

3. Given the aforesaid factual matrix of the case, this Court is of the opinion that considering the age of the petitioner, who is more than 73 years of age at this juncture keeping the petition pending may not be fruitful, rather ends of justice would meet if the respondents No.1 & 2 are directed to consider the case of the petitioner so far as releasing of his entire retiral dues are concerned and to take appropriate steps for the release of the same. However in case if the petitioner is not entitled for the same he should be suitably intimated giving specific reasons, as to why he is not entitled or.
4. Let this exercise be done within a period of 60 days from the date of receipt of the order of this Court.
5. It shall be the responsibility of the petitioner to appraise the respondents No.1 & 2 so far as the decision of this Court.
6. The writ petition accordingly stands allowed and disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved