

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6752 OF 2018**

1. Smt. Mamta Shrivastava W/o Late Shri S.K. Shrivastava Aged About 59 Years R/o House No. 59, R-7 Rama Valley, Bodri, Raipur Road, District Bilaspur Chhattisgarh. Permanent Address - C-7, Gayatri Vihar, Mahaveer Nagar, Raipur, Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through Its Secretary, Irrigation Department, Mantralaya, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Engineer In Chief Irrigation Department, Shankar Nagar, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Engineer Irrigation Department Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
4. Superintendent Engineer Indravati Pariyojna Mandal, Irrigation Department Jagdalpur Division Near Bodhghat Police Station Jagdalpur, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Sunil Otvani, Advocate.
For Respondent-State	:	Shri SP Kale, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****11.10.2018**

1. The grievance of the petitioner is that the her Husband who was working under the respondents as Executive Engineer retired from service on 31.03.2017 and immediately thereafter he expired on 24.04.2017. Thereafter, death-cum-retiral dues payable to the petitioner has not been released to her.
2. The record shows that initially the amount of retiral dues were withheld on account of some recovery which were detected against the husband of the petitioner while he was posted at Jashpur Division as well as at Mahasamund Division. Later on there are correspondences brought on record to show that both these divisions have cleared the alleged recovery part and have held that there is no dues whatsoever which had to be adjusted against the payment made to the husband of the petitioner.

3. Given the said facts, the only direction which can now be issued is to immediately release the dues payable to the petitioner on the death of her husband and also those claims which were payable to the husband of the petitioner on his retirement which were not released to him while he was alive.
4. Accordingly, the present petition stands disposed of with a direction to the respondent No.2 to forthwith scrutinize the claims of the petitioner including payment of all retiral dues payable and the same be finalized at the earliest preferably within a period of 90 days from the date of receipt of certified copy of this order.

Sd/-
(P. Sam Koshy
Judge