

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Appeal No. 797 of 2018**

*{Arising out of order dated 02.05.2018 passed by learned Single Judge in Writ Petition (S) No. 1357 of 2012}*

1. Transport Commissioner, Government of Madhya Pradesh, Gwalior, Madhya Pradesh.
2. Regional Transport Officer, Jabalpur, Madhya Pradesh.

**---- Appellants****Versus**

1. State of Chhattisgarh, Through Transport Secretary, Department of Transport, Dau Kalyan Singh Bhawan, Raipur (C.G.)
2. Transport Commissioner, Government of Chhattisgarh, Raipur (C.G.)
3. Regional Transport Officer, Bilaspur (C.G.)
4. Smt. Shashi Ahuja, aged about 53 years, W/o Late Shri S.K. Ahuja, working as Assistant Grade-II, Regional Transport Office, Bilaspur, District Bilaspur, Chhattisgarh.

**---- Respondents**


---

|                                 |   |                                       |
|---------------------------------|---|---------------------------------------|
| For Appellants                  | : | Shri Rajeev Shrivastava, Advocate.    |
| For Respondent Nos.1 to 3/State | : | Shri U.N.S. Deo, Government Advocate. |

---

**Hon'ble Shri Ajay Kumar Tripathi, Chief Justice**  
**Hon'ble Shri Justice Parth Prateem Sahu**

**Judgment on Board****Per Ajay Kumar Tripathi, Chief Justice****07.12.2018**

1. Heard counsel for the Appellants and learned Government Advocate for the State.
2. The laid back and casual approach towards the grievances of wife of the erstwhile employee who died in a road accident on 03.09.1987 and non-settlement of death-cum-retrial dues for almost 22 odd years was the reason for the private Respondent the widow to approach the High Court.

3. Keeping in mind the extraordinary delay in settlement of the rightful claim and not being satisfied with the explanation for non-settlement and keeping in mind the ratios of the decisions taken note of in paragraphs 7 and 8 of the impugned order, the Hon'ble Single Judge directed payment of interest @ 10% on the outstanding dues. This appeal has been preferred against the said order, especially the direction to pay interest @ 10% due to delay.
4. The laid back approach is also visible even in matter of preferring appeal, since the appeal has been filed after a delay of 209 days and application for condonation which is I.A. No. 1 of 2018 also has been filed.
5. The facts being what they are and so glaring that a family had to do without settlement of death-cum-retrial benefits etc. for more than 2 decades, imposition of interest @ 10% cannot be said to be an irrational view to take.
6. Both the condonation application as well as the appeal stands dismissed. The direction issued by the learned Single Judge to comply has to be implemented without further delay within 2 months from today or else rate of interest will stand revised from 10% to 16%.

Sd/-

**(Ajay Kumar Tripathi)**  
**Chief Justice**

Sd/-

**(Parth Prateem Sahu)**  
**Judge**