

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 37 OF 2019**

1. Ashok Kumar S/o Samliya Loniya Aged About 62 Years R/o Gram Ghutaku, Thana Koni, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. Sanchalak Ayurved Yog Avam Prakritik Chikitsa Unani, Siddhi Avam Homoyopathy Ayush Chhattisgarh Raipur., District : Raipur, Chhattisgarh
2. District Ayurved Adhikari Karyalay District Ayurved Adhikari Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Prachary / Adhikshak Govt. Ayurvedic, Chikitsa / Mahavidhyalay Nutan Chowk Sarkanda Bilaspur Thana Sarkanda, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Sayukt Sanchalak Kosh Lekha Avam Pension Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

... Respondent(s)

For Petitioner	: Shri Abdul Wahab Khan, Advocate.
For Respondents-State	: Shri Rahul Mishra, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08.01.2019

1. This case pertains to grievance of non-grant of retiral dues.
2. Learned counsel appearing for the parties submit that the matter may be referred to the Pension Committee.
3. This Court, in W.P. No.4642/2004 (*Bajinath Mandal Vs. The State of Chhattisgarh & others*) and other connected matters, directed the Committee to consider the matter of retrial dues as the disputed question of facts were involved. The Committee was constituted by the State Government, pursuant to the order dated 19-06-2006 passed in W.P.No.1961/2006 (*Smt. Keja Bai Chandrakar Vs. State Government of Chhattisgarh and others*), and order dated 13-3-2008 passed in M.C.C. No. 105 of 2008 (*State of Chhattisgarh and*

others Vs. Baijnath Mandal and another). Thus, this petition is squarely covered by the judgment and order dated 31st January, 2008 passed in W.P.No.4642/2004 [(Baijnath Mandal (supra))] as submitted by learned counsel appearing for the parties.

4. This petition is accordingly disposed of in the same terms i.e., the office of the Advocate General is directed to send the case to the Committee, within a period of 15 days from the date of receipt of a copy of this order. Thereafter, the Committee shall issue notice to the petitioner and officers concerned within a further period of 15 days. The Committee shall consider and pass order, in accordance with law, after affording proper opportunity of hearing to the petitioner. The petitioner and the officers concerned may file additional documents, if necessary. The entire exercise, including payment of retiral dues, if any, to the petitioner, be completed within a period of six months from the date of receipt of a copy of this order.
5. The petitioner shall supply one complete set of the petition to the State counsel as well as counsel for the Accountant General for transferring the same to the Committee.

SD/-

(P. Sam Koshy)
Judge