

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 446 of 2019**

Awadh Narayan Ram S/o Late Shri Guljar Ram, aged about 45 Years, R/o Care Of Kailash Ram, ASF Line, Kent Puna, Near Durga Mandir, Qtr. No. NGO/36, Guna, District – Guna, Madhya Pradesh

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through: the Secretary, Home Department (Police), Mahanadi Bhawan, Naya Raipur, District - Raipur Chhattisgarh
2. Company Commandant "C", 10th Battalion, CG Security Force, Surguja, District – Surguja, Chhattisgarh
3. Deputy Commandant, Enquiry Officer, 10th Battalion Chhattisgarh Security Force, Surguja, District Surguja, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Punit Ruparel, Advocate
For State	:	Ms. Astha Shukla, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****23/01/2019**

1. The challenge in the present writ petition is to the order of termination dated 19.07.2007. The relief sought for in the writ petition is for a direction to the respondents to release the provident fund dues which were payable to the petitioner and which stood in his account on the date of termination.
2. So far as the challenge to the order of termination is concerned, this Court has no hesitation in holding that the petition suffers from delay

and laches as the writ petition has been filed after about 12 years from the date of the order of termination. Moreover, the order of termination was an appealable order which too the petitioner has not resorted to. For the said reason also, the writ petition to the aforesaid extent stands rejected.

3. However, so far as the claim for releasing of the provident fund which stood to his credit on the date of termination is concerned, let respondent no.2 scrutinize the claim of the petitioner and subject to the petitioner being entitled for the same, the entire amount which stood credited in his PF account should be released at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.

Sd/-
(P. Sam Koshy)
JUDGE