

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 462 of 2019**

Smt. Shanta Singh Parihar W/o Late Shailendra Singh Parihar, aged about 40 years, R/o village- Hariharpur, Tehsil- Pratappur, District Surajpur (C.G.).

---- Petitioner**Versus**

1. State govt. of Chhattisgarh, Through the Secretary, Department of Panchayat and Rural Development, Secretariat, Mahanadi Bhawan, Atal Nagar, District Raipur (C.G.).
2. The Chief Executive Officer, Janpad Panchayat Pratappur, District Surajpur (C.G.).
3. The Block Education Officer, Block Pratappur, District Surajpur (C.G.).
4. The Headmaster, Primary School, village- Hariharpur, Block- Pratappur, District Surajpur (C.G.).

----Respondents

For Petitioner	:	Mr. Sameer Behar, Advocate
For State	:	Mr. Arvind Dubey, Panel Lawyer

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

1. The only grievance of the petitioner in the present writ petition is that the husband of the petitioner late Shailendra Singh Parihar was working as an Assistant Teacher (Panchayat) and was posted at the Primary School, Bodhipara (Hariharpur) and he died in harness on 08.04.2016.
2. According to the petitioner, the deceased employee was not paid wages from August, 2008 onwards till the date of his death. It is also the contention of the petitioner that deceased husband has discharged his duties uninterruptedly for the entire period, yet he has been denied of his wages.

3. Given the said submission by the counsel for the petitioner, this Court does not intend to keep the petition pending rather ends of justice would serve if the direction is given to the respondent No.2 & 3 to scrutinize the claim of the petitioner at the earliest and ensure that if the husband of the petitioner has worked between March, 2008 till the date of his death, the petitioner should be paid the wages for the said period without any further delay and the said wages shall also carry interest @ 10% per annum from the date it fell due till the date it is actually paid, unless there is a clear finding that the payment was not released to the petitioner's husband on account of any misrepresentation or fraud on the part of the deceased employee. The interest part can be recovered by the Government from the erring officer on whose fault the salary to the deceased employee was not released in time. The Department may conduct an enquiry and decide the same.
4. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Harneet