

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1108 of 2019**

G.S. Thakur S/o Late Anjor Singh Thakur Aged About 64 Years R/o Village Post Nagari, in Front of Government Hospital, District Dhamtari Chhattisgarh 493778

---- Petitioner**Versus**

1. State Of Chhattisgarh, Department Of Forest, Mantralaya Mahanadi Bhawan Atal Nagar, New Raipur District Raipur Chhattisgarh.
2. Chief Conservator Of Forest, Forest Circle Raipur, Chhattisgarh
3. Divisional Forest Officer, Gariyaband District Gariyaband Chhattisgarh.

----Respondents

For Petitioner	:	Mr. B. Gopa Kumar, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****19/02/2019**

1. The grievance of the petitioner in the present case is that since the petitioner retired from the post of Range Officer with effect from 30.06.2017, till date though more than one and a half years have lapsed, he has not received any pension and gratuity.
2. The counsel for the petitioner refer to a correspondence dated 13.12.2018 issued by the Senior Treasury officer to the respondent No. 3 for providing necessary details and service particulars of the petitioner so as to enable the Treasury Office to release pension and gratuity to the petitioner, but the respondents have till date not taken any step for the compliance of the said direction given by the Treasury Office.

3. On the contrary, the respondent No. 3 has later issued a communication marked to the respondent No. 2 dated 25.01.2019 that the department intends to initiate a disciplinary proceedings against the petitioner and the charge sheet for which has also been enclosed and was being sent to the respondent No 2 for approval and necessary instructions.
4. At this Juncture, it would be relevant to mention that the petitioner has retired from service on 30.06.2017. Till the date of retirement there was no show cause, no charge sheet or department enquiry pending against the petitioner.
5. The service rules is very clear that beyond retirement the employer would not be entitled for initiating disciplinary proceedings against the retired employee.
6. Moreover taking into consideration the fact and the circumstances of the present case also there does not seem to be any further action taken by the department against the present petitioner and as such, as on date, the petitioner does not suffer from any disqualification from receiving the pension and gratuity on his retirement.
7. Given the said fact and circumstances of the case, let the respondent No. 2&3 take appropriate steps in ensuring that the necessary details as has been sought by the Senior Treasury Officer in respect of the service particulars and details of the petitioner vide their correspondence dated 13.12.2018 be furnished to the Senior Treasury Officer within a period of 45 days from the date of receipt of copy of this order and the Treasury Office is further directed to ensure that necessary pension and gratuity are released to the

petitioner thereafter at the earliest. It shall be the responsibility of the petitioner to apprise respondent No. 2&3 so far as order passed by this Court is concerned

Sd/-

(P. Sam Koshy)

Judge

Jyoti