

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2030 of 2019

Kishore Kumar Gupta S/o Late Shri Gulab Chand Ji Gupta Aged About 63 Years Retired Senior Physio Therapy (P. T.) Govt. Main Hospital Durg, District Durg, Chhattisgarh.

---- Petitioner

Versus

1. Accountant General (Lekha And Hakdaari) Zero Point Baloda Bazar Road Raipur, Chhattisgarh.
2. Civil Surgeon-Cum-Chief Superintendent Hospital, Durg, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate
For Respondent No.1	:	Mr. Rajkumar Gupta, Advocate
For State	:	Mr. Rahul Mishra, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

20/03/2019

1. Ignoring the defaults pointed out by the Registry, with the consent of the parties, the matter is heard finally and disposed of at the motion stage itself.
2. This case pertains to grievance of non-granting of retiral dues.
3. Learned counsel appearing for the parties submit that the matter may be referred to the Pension Committee.
4. This Court, in **W.P. No. 4642/2004 (Baijnath 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 13.03.2008 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.

5. This petition is accordingly disposed of in the same terms i.e., the office of the Accountant 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.
6. The petitioner shall supply one complete set of the petition to the State counsel.
7. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge