

HIGH COURT OF CHHATTISGARH, BILASPUR**REVIEW PETITION NO.69 OF 2019**

1. Pandit Ravi Shankar Shukla University Through Its, Registrar, Pt. Ravi Shankar Shukla University , Amanaka, G E Road, P S Sarswati Nagar, Raipur Chhattisgarh. P I N 492001.

...Petitioner(s)**Versus**

1. Dr. Vyas Narayan Dubey S/o Late Shri Manrakhan Lal Dubey Aged About 66 Years Retired Professor Literature And Linguistic Pt. Ravishanker Shukla University Raipur, Chhattisgarh. R/o B-2/5, Manas Kunj, Lokmanya Society, Rohinipuram Raipur, Tahsil And District Raipur, Chhattisgarh.

... Respondent(s)

For Petitioner : Shri Neeraj Choubey, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****11.04.2019**

1. The present review petition has been filed seeking review of the order dated 30.01.2019 passed in WPS NO.625 of 2019. For ready reference, the relevant portion of order dated 30.01.2019 is reproduced herein :

“2. According to the petitioner, before his retirement he was subjected to a disciplinary proceeding and before his retirement, the said departmental enquiry stood completed and the petitioner was exonerated of all his charges and thus, there is no embargo for the petitioner in receiving the entire retiral dues that he is otherwise entitled for.

3. Given the said facts and circumstances of the case, particularly the submission of the petitioner that he stands exonerated of all the charges that were levelled against him even before his retirement, nothing further remains to be adjudicated at this juncture, except for issuance of a direction to respondent No. 2 to ensure that the retiral dues payable to the petitioner be paid to him at the earliest preferably within a period of 90 days from the date of receipt of the copy of this order.”

2. From the plain reading of the aforesaid contents, it is evidently clear that this court had disposed of the writ petition only on the submission made by the petitioner of his being exonerated in the departmental enquiry which was initially conducted by the respondents. Disposal of the writ petition would not mean that the petitioner would be entitled for his retiral dues as a matter of right if there are other impediments operating against the petitioner.
3. The counsel for the petitioner submits that as on date there is outstanding balance of Rs.22,22,446/-against the petitioner in respect of certain advance that the petitioner had received as an Examination Coordinator and which is yet to be settled and thereby the University finds it difficult to settle the dues payable to the petitioner.
4. Given the said facts and circumstances of the case, this court is of the firm view that what this court meant while disposing of the writ petition on 30.01.2019 was, in case if there is no other impediment or embargo operating against the petitioner, his retiral dues have to be released. However, in case if there are certain impediments or embargo against the petitioner, the respondent have all the right for deciding the claim in accordance with rules and regulations governing the filed. Accordingly, the order dated 30.01.2019 does not require any review or modification.
5. The review petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge