

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2839 of 2019

Hemchand Bhargaw S/o Late Deolal Bhargaw Aged About 63 Years
Retired Head Master, Government Middle School Aamadob, Block
Gaurela, District- Bilaspur, R O Village Pipartarai, Via Ganiyari, Tahsil-
Kota, District- Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur, Chhattisgarh
2. District Education Officer, Office Of District Education Officer, Bilaspur, Chhattisgarh
3. Block Education Officer, Office Of Block Education Officer Gaurela, District- Bilaspur, Chhattisgarh
4. Joint Director, Office Of Treasurer Account And Pension Division, Bilaspur, Chhattisgarh
5. District Treasurer Officer, Office Of District Treasurer Officer, Bilaspur, Chhattisgarh
6. Sub Treasurer Officer, Office Of Treasurer Officer, Gaurela Pendraroad, District- Bilaspur, Chhattisgarh
7. Accountant General Chhattisgarh, Office Of Accountant General, Zero Point Balodabazar Road, New Raipur, District- Raipur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Vinod Deshmukh, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.
For Respondent No.7	:	Mr. Rajkumar Gupta, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

22/04/2019

1. The sole grievance of the petitioner in the instant case is that inspite of the fact that the petitioner has retired from service w.e.f. 31.05.2018, except for the Group Insurance amount of Rs.72,207/- and the Family Welfare Fund amount of Rs.51,231/- he has not been paid any other retiral dues that he is entitled for.
2. Counsel for the petitioner refers to Annexure P/3, which is a correspondence made by the office of the Accountant General for release of the GPF amount payable to the petitioner and the said correspondence was made as early as

on 03.01.2019, even then the said payment has till date not been released, which has led to the filing of the present writ petition.

3. According to the petitioner, he is still to get his GPF amount, the gratuity amount as also the amount for the leave encashment etc. and his pension also has not been finalized. Counsel for the petitioner further submits that the Department has already issued a necessary certificate showing that there is no inquiry pending against the petitioner, neither is there any dues recoverable from the petitioner, yet the petitioner has not received his retiral dues.
4. Given the aforesaid factual matrix of the case, as it stands, this Court is of the opinion that no fruitful purpose would be served in keeping the petition pending, rather ends of justice would meet if the respondents No.1 & 2 are directed to ensure that the entire retiral dues payable to the petitioner is settled and finalized at the earliest within a period of 60 days from the date of receipt of the copy of this order.
5. It is made clear that in the event if the respondents No.1 & 2 fail to release the retiral dues to the petitioner within the aforesaid given 60 days time, the petitioner shall be entitled for interest on the entire retiral dues @ 10% per annum from the date of retirement till the date of actual release of the retiral dues.
6. However, it is made clear that in case if the retiral dues have not been released to the petitioner on account of the some lapse or some reason attributable on the petitioner, in that event, the aforesaid directions would not be applicable.
7. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge