

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3036 of 2019**

Smt. Kumudini Dewangan Wd/o Late Purushottam Dewangan,
Aged About 52 Years, R/o Sanjay Nagar, Chakradhar Nagar,
Behind Tilak School, Raigarh, Tahsil And District Raigarh,
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh
2. Commissioner - Cum – Director, Directorate Of Panchayat, Indrawati Bhawan, Naya Raipur, District – Raipur, Chhattisgarh
3. Commissioner, Surguja, Division Ambikapur, District Surguja Chhattisgarh
4. Collector, Jashpur, District Jashpur, Chhattisgarh
5. Chief Executive Officer, Jila Panchayat, Jashpur, District Jashpur Chhattisgarh
6. Chief Executive Officer, Janpad Panchayat, Duldula, District Jashpur Chhattisgarh
7. Deputy Director (Panchayat) Jila Panchayat, Jashpur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Abhishek Saraf, Advocate
For State	:	Ms. Shriya Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****25.04.2019**

1. The claim of the petitioner in the present writ petition is for an appropriate direction to the respondents more particularly to respondents 5 & 6 to ensure that the petitioner is given the dues payable to her on the death of her husband.
2. The facts of the case are that the husband of the petitioner namely Purushottam Dewangan was working with respondent no.6 as an Assistant Internal Audit and Taxation Officer and on account of serious medical ailment he had taken voluntary retirement which was sanctioned by the Department w.e.f. 30.09.2014.
3. Contention of the counsel for the petitioner is that after the voluntary retirement that her husband had taken w.e.f. 30.09.2014, the family was entitled for the retiral dues like gratuity, group insurance, welfare fund, leave encashment etc. which till date has not been finalized. Counsel for the petitioner, at this juncture, submits that meanwhile the respondents have released only the anticipatory pension payable to the petitioner amounting to Rs.4157/- per month vide order dated 16.11.2016 w.e.f. October, 2014 onwards but the petitioner has not been paid any other dues that were payable to her by the department.
4. Given the aforesaid limited grievance that the petitioner has, this Court is of the opinion that no fruitful purpose would be served in keeping the writ petition pending, rather ends of justice would meet if the writ petition is disposed of with a specific direction to

respondents 5 & 6 to immediately scrutinize the claim of the petitioner firstly on the payments to be made on the retirement of the husband of the petitioner w.e.f. 30.09.2014 and secondly other monetary benefits that the petitioner would be entitled including pension on the death of the deceased employee on 07.04.2018. Let this exercise be completed by respondents 5 & 6 within a period of 90 days from the date of receipt of copy of this order. It shall be the responsibility of the petitioner to apprise respondents 5 & 6 so far as the order passed by this Court is concerned.

5. The writ petition accordingly stands disposed of.

**Sd/-
P. Sam Koshy
Judge**