

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3319 of 2019

Krishna Murari Khare S/o Late Shri Beniprasad Khare, Aged About 64 Years
R/o Goyal Chall, Katghora, District Korba Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Water Resources Department Mahanadi Bhawan, New Raipur, Atal Nagar, Raipur District Raipur Chhattisgarh.
2. The Engineer-In-Chief, Water Resources Department, Raipur Chhattisgarh.
3. The Executive Engineer, Water Resources Division, Korba District Korba Chhattisgarh.
4. The Joint Director, Treasury, Accounts And Pension, Bilaspur Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Dashrath Prajapati, Advocate
For State	:	Mr. Ishan Verma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/05/2019

1. The limited relief which the petitioner has raised in the present writ petition is that the petitioner though has retired on 31.03.2019 from the post of Sub Engineer under the respondents. There are certain dues which are still not settled on his retirement.
2. According to the petitioner, he has till date not received the fixation of his salary as per the 7th pay commission, which came into effect from 01.01.2016 onwards. It is also the contention that he has not been released of his family welfare fund. In addition he is also entitled for certain dearness allowance, which he was entitled pursuant to the revision of pay w.e.f. 01.01.2016 till the date of retirement and the petitioner also has claimed for certain difference of the HRA and certain deductions made from HRA.

3. Considering the nature of dispute, that the petitioner has raised, this Court is of the opinion that these are facts, which can only be decided on verification of the records and no fruitful purpose would be served in keeping the petition pending. Accordingly the respondents No.2 & 3 are directed to immediately consider the claim of the petitioner so far as the unpaid dues, which are payable to the petitioner.
4. Let the petitioner approach the respondents No.2 & 3 by way of a fresh representation giving details of the dues that he has not received, which the respondents No.2 & 3 shall look into and an appropriate order/action would be taken. If the petitioner is entitled for any dues, the same should be settled within a period of 4 months from the date of receipt of the representation that the petitioner would make. In case if the petitioner is not paid of his unpaid dues within a period of 4 months from the date of receipt of the representation, the petitioner would be entitled for interest on the delayed payment @ 10% p.a. from the date of retirement till the date actual payment is made.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge