

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3656 of 2019

T.D. Sukhdeve (Retired Deputy Conservator of Forest- State Forest Service
S/o Late Shri Govinda Sukhdeve, Aged About 66 Years, R/o J-604-605,
Housing Board Colony, Gudhiyari, Raipur District Raipur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Forest, Mantralaya, Mahanadi Bhawan, Capital Complex, Atal Nagar, Naya Raipur District Raipur Chhattisgarh.
2. Divisional Joint Director Treasury, Accounts And Pension, Bastar Division, Having Its Office At Jagdalpur, District Bastar, Jagdalpur Chhattisgarh.
3. Additional Treasury Officer O/o Senior Treasury Officer, District Treasury Raipur, District Raipur Chhattisgarh.
4. Branch Manager State Bank Of India, GCTE Branch (NIT) Branch Code No. 02852, Raipur, District Raipur, Chhattisgarh.
5. Assistant General Manager State Bank Of India, CPPC, Govindpura, Bhopal District Bhopal Madhya Pradesh.

---Respondents

For Petitioner	:	Mr. Prasoon Kumar Bhaduri, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.
For Respondents No. 4 & 5	:	Mr. P.R. Patankar, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/05/2019

1. The dispute in the present writ petition revolves around the non-granting of benefits of the revision of pay, which took place w.e.f. 01.01.2016 onwards.
2. According to the petitioner, he retired from the Forest Department under the State Government from the post of Deputy Conservator of Forest w.e.f. 31.01.2016. The petitioner has been granted the retiral dues and the pensionary benefits as per the pre-revised rate. Subsequently, since the recommendation of the 7th pay commission was implemented and it was given effect to from 01.01.2016, the petitioner became eligible for the dues as per the recommendation of the 7th pay commission i.e. at the revised rate.

3. Correspondences made by the department show that in fact the State Government had processed the case of the petitioner for the benefit of revised pay-scale and also for granting the retiral dues as per the revised pay-scale and appropriate PPO was also sent to the State Bank of India, GCTE Branch Raipur (respondent No.4). However, it appears that the said PPO has been misplaced in the course of transaction *inter se* between the respondents No.4 and the respondent No.5.
4. Since, there is no dispute so far as the entitlement of the petitioner is concerned and that the benefit is being denied to the petitioner only on account of the original PPO getting misplaced, this Court is of the opinion that ends of justice would meet if the respondent No.2, who had issued the original PPO is directed to provide a second copy (duplicate copy) duly certified of the PPO pertaining to the petitioner to the respondent No.4 at the earliest and the respondent No.4 on receipt of the second copy of PPO shall ensure releasing of the dues payable to the petitioner within a period of 3 months from the date of receipt of the second copy of PPO from the respondent No.2.
5. It is further clarified that since during the intervening period, the dearness allowance has also got revised, the respondent No.2 shall ensure that the petitioner's dearness allowance also is duly revised as per the prevailing finance instructions and appropriate PPO in this regard should also be issued within the same period.
6. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge