

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4432 of 2019

Smt. Bimlesh Singh W/o Late Narayan Pratap Singh, Aged About 53 Years, R/o Ward No. 9, Mahalpara, Police Station Baikunthpur, District Korea, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh
2. Joint Director, Dept. Of Urban Administration And Development, Surguja Division, Ambikapur, District Surguja, Chhattisgarh
3. Collector, District Korea, Chhattisgarh
4. Chief Municipal Officer, Nagar Palika Parishad, Baikunthpur, District Korea, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. N. Naha Roy, Advocate
For State	:	Mr. Arvind Dubey, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21/06/2019

1. The only grievance for which the present writ petition has been filed is that though the petitioner has been granted pension, gratuity and the benefit of leave encashment on the death of her husband who died in harness on 01.12.2014 yet the GPF amount & Family Welfare Fund has till date not been released so also her husband has not got the benefit of time scale pay which he was awarded vide order dated 07.09.2013 Annexure P-3.
2. Counsel for the petitioner referred to the correspondence made by respondent no.3 to different agencies whereby the releasing of

Family Welfare Fund, GPF amount and time scale Pay is not disputed and the same could not be processed for completion of certain formalities for which certain documents were not available with respondent no.4.

3. Given the aforesaid facts and circumstances of the case, 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 direction to respondents 2 to 4 to immediately process the claim of the petitioner for releasing of GPF amount, Family Welfare fund and also granting of arrears and other consequential benefits which the deceased employee would have got had the order dated 07.09.2013 Annexure P-3 as regards granting of time scale pay been implemented. Let this exercise be completed within a period of 4 months from the date of receipt of copy of this order.
4. Considering the fact that the death of the deceased employee took place about 5 years back and till date the respondents have not been able to settle the dues payable to the widow of the deceased employee, this Court is of the opinion that it is a fit case where the petitioner would be entitled for interest on the entire dues which till date has not been released to the petitioner. Accordingly, the delayed payment shall carry interest @ 6% per annum from the date of death of the employee till the date of its actual payment.

5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE