

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4406 of 2019

Meena Tirkey D/o Shri Ishwari Prasad Tirkey Aged About 64 Years
Retired Superintendent, Nari Niketan, Dantewada, District South Baster
Dantewada Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Mahila Avam Bal Vikas Atal Nagar, Mantralaya, New Raipur Chhattisgarh.
2. Under Secretary, Mahila Avam Bal Vikash, Atal Nagar, Mantralaya, New Raipur Chhattisgarh.
3. Director Mahila Avam Bal Vikash Indrawati Bhawan, Raipur, Chhattisgarh.
4. District Program Officer Mahila Avam Bal Vikash Dantewada, South Baster Dantewada Chhattisgarh.
5. Joint Director Treasury Account And Pension, Dantewada, District South Baster Dantewada Chhattisgarh.

---Respondents

For Petitioner	:	Shri Shashi Kushwaha, Advocate.
For State	:	Ms. Astha Shukla, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20/06/2019

1. The limited grievance which the petitioner has in this petition is that the petitioner has not been paid any pension and pensionary benefits though she has retired from service on 31.12.2017.
2. The counsel for the petitioner submits that non settlement of retiral dues is only on the ground of a criminal case pending against the petitioner for the offence punishable under Sections 420,467,468,471 and 120-B/34 IPC. The limited prayer that the petitioner has sought for is that the respondents may at least consider the claim of the petitioner for grant of interim/provisional pension as of now subject to the outcome of the criminal case that is pending against the petitioner. The petitioner further submits that even on the ground of pendency of criminal case the respondents could not have withheld the provident Fund dues which the

petitioner is entitled for as the said amount is her own contribution which is lying with the respondents.

3. Given the aforesaid facts and circumstances of the case, let the respondents No.3,4 and 5 take an appropriate decision at the earliest considering the releasing of interim/provisional pension to the petitioner as also releasing of the Provident Fund dues payable to the petitioner. Let a decision be taken by the respondents No.3 to 5 within a period of three months from the date of receipt of copy of this order.
4. Accordingly, reserving the right of the petitioner to approach the court in case of any further grievance, if survives, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder