

HIGH COURT OF CHHATTISGARH AT BILASPUR
CONTEMPT CASE (CIVIL) NO. 677 OF 2019

• D.P Tripathi, S/o Late Onkar Prasad Tripathi, aged about 79 years, R/o Bangalipar, Gali No.4, Sarkandra, Police Station Sarkanda, Tahsil and District Bilaspur (CG) **... Petitioner**

versus

1. Smt. Niharika Barik, Secretary, Health and Family Welfare, Mantralaya, Mahanadi Bhavan, New Raipur, Police Station Rakhi, District Raipur (CG)
2. Smt. Shikha Rajput, Director, Health and Family Welfare, Indrawati Bhavan, New Raipur, Police Station Rakhi, District Raipur (CG)
3. Dr. Smt. Madhulika Singh Thakur, Joint Director, Health and Family Welfare, Bilaspur, Seepat Road, District Bilaspur (CG) **... Respondents**

For Petitioner	:	Mr. Raj Kumar Gupta, Advocate.
For Respondents	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20/11/2019

1. Counsel for the respondents submits that the order has since been complied with and the petitioner has also been paid the dues payable to him on his retirement. However, he submits that the entire payment has not been made. According to him, it is only 90% of the pension and gratuity amount which has been released and so far as the leave encashment part is concerned that is already in process and the same would also be released very soon and the compliance of 10% would be made as soon as the issue pertaining to the date of birth of the petitioner is resolved.

2. Given the fact that the respondents have taken a decision to comply with the order of this Court and have released 90% of the pension and gratuity amount and would release the leave encashment amount soon and the compliance of the balance of 10% also be made after the issue of date of birth of the petitioner stands resolved, this Court is of the opinion that the order passed by this Court stands duly complied with.

3. However, in case, if the petitioner is still aggrieved that the dues that have been paid to him are not what he would otherwise entitled for had he been retired normally on attaining the age of superannuation, the right of the petitioner stands reserved for approaching the Court afresh for ventilating his grievances.

4. The remaining part of the dues payable to the petitioner is expected to be finalized by the respondents as soon as possible, preferably within a period of 45 days from the date of receipt of copy of this order.

5. The contempt petition accordingly stands disposed of with the aforesaid observations.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE