

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4822 of 2019

Raghaw Bhan Prasad Mishra S/o Late Shri Bhuvneshwar Prasad Mishra
Aged About 64 Years Retried Assistant Teacher From Primary School
Lankapali, Block And Post- Usur, District- Bijapur, Chhattisgarh.

---- Petitioner(s)

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Tribale, Mahanadi Bhawan, Atal Nagar, District- Raipur, Chhattisgarh.
2. Commissioner Adivasi Vikas Anusuchit Janjati Vibhag, Indravati Bhawan, New Raipur, Chhattisgarh.
3. Assistant Commissioner Tribale Welfare, District- Bijapur, Chhattisgarh.
4. Block Education Officer Usur Head Office, Awapali, District- Bijapur, Chhattisgarh.
5. C. E. O. Janpad Panchayat, Dabhara, District- Janjgir- Champa, Chhattisgarh.

---Respondents

For Petitioner	:	Shri Banhiman Roy, Advocate.
For State	:	Ms. Sunita Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02/07/2019

1. The contention of the petitioner is that, the petitioner has retired as Assistant Teacher from the Primary School, Lankapalli, Block and Post Usur, District Bijapur w.e.f. 31.07.2016. According to the petitioner, though about three years have passed from the date of retirement, till date he has not received any retiral dues including pension, gratuity and Provident Fund. The counsel for the petitioner refers to document Annexure P/2 dated 29.01.2019 whereby the respondent No.3 has made correspondence to the respondent No.4 for an early settlement of the retiral dues payable to the petitioner, yet there is no further development.
2. Given the aforesaid facts and circumstances of the case as narrated by the petitioner, this court is of the opinion that the ends of justice would meet if the respondents No.2 to 4 are directed to ensure that the retiral

dues payable to the petitioner is settled at the earliest preferably within a period of four months from today.

3. The entire retiral dues payable to the petitioner shall also carry interest @ 10 percent per annum. The interest part can be recovered by the State Govt. from the erring officers who have deliberately delayed the release of the retiral dues payable to the petitioner. The interest would be payable only in the event if it is a case where the delay has been caused for no fault of the petitioner, which means, in case if the delay was on account of the fault of the petitioner, then the amount shall not carry interest.
4. The present writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder