

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6192 of 2019**

Smt. Chandrakanta Sharma W/o Late S. K. Sharma, Aged About 62 Years, R/o Ashok Vihar Phase - I, House No. A.B. 07, Police Station Sarkanda, District Bilaspur, Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. The Accountant General, Raipur, District Raipur, Chhattisgarh
3. The Collector, Bilaspur, District Bilaspur, Chhattisgarh
4. Sub Divisional Officer, Kota, District Bilaspur, Chhattisgarh
5. District Education Officer, Bilaspur, District Bilaspur, Chhattisgarh
6. Block Education Officer, Kota, District Bilaspur, Chhattisgarh
7. The Tahsildar Kota, District Bilaspur, Chhattisgarh
8. Government Primary School Through Dean, Village Melnadeeh, Ratanpur, Block Kota, District Bilaspur, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Punit Ruparel, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.
For Intervenor	:	Mr. R. R. Soni, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****19.08.2019**

1. The claim of the petitioner in the present writ petition is for a direction

to the respondents to release the death-cum-retiral benefits and other relief which the petitioner as a legal heir of the deceased employee is entitled for.

2. Before the matter could be taken up for hearing there is an application made by the intervenor namely Urvashi Sharma claiming herself to be the wife of the deceased employee namely late Santosh Kumar Sharma. The intervenor has also produced a document which is an application filed by the petitioner in which the intervenor has been made a party and whereby a claim application under Section 372 of the Indian Succession Act is already pending consideration before the JMFC, Bilaspur. It has been informed by the intervenor that the intervenor has also filed a similar succession certificate case before the JMFC, Bilaspur wherein the petitioner has also been made a respondent.
3. Given the fact that there is already a dispute of succession filed by both the parties claiming themselves to be the wife of the deceased employee, this Court is of the opinion that the relief for release of the death-cum-retiral dues and other benefits can only be decided after the outcome of the two succession cases pending before the appropriate Court.
4. Reserving the right of the parties to approach the Court subject to the outcome of the succession cases, the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge