

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8753 of 2019**

- Smt. Shobha Namdeo Wd/o Late A.K. Namdeo Aged About 52 Years R/o G.A.D. G/5 Chitalanka Dantewada District Dantewada Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary , Department Of Higher Education Mantralaya Mahanadi Bhawan Aal Nagar District Raipur Chhattisgarh
2. Commissioner Directorate Of Higher Education Block C 30, 2nd And 3rd Floor, Indravati Bhawan Atal Nagar Raipur Chhattisgarh
3. Collector District Office South Baster Dantewada District Baster Chhattisgarh
4. Principal Govt. Danteshwari P.G. College Dantewada Chhattisgarh

---- Respondents

For Petitioner : Shri Shakti Raj Sinha, Advocate

For Respondents/State : Ms. Akanksha Jain, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****23/10/2019**

1. Heard.
2. Learned counsel for the petitioner would submit that the husband of the petitioner namely A.K. Namdeo died on 08.08.2019. Thereafter, despite the fact that there is no dispute as to the identity of the petitioner that she is the wife as her name appears in all the papers, the interim pension was paid to her up till May, 2019 but subsequently, the claim of the petitioner has not been settled. It is stated that earlier the retiral dues were withheld on the ground that the

petitioner has occupied the government premises, but presently as per instructions she is residing at Surajpur. It is further submitted that the petitioner has been instructed to produce the succession certificate, which is beyond the rules of payment of pension and settlement of the retiral dues.

3. Perusal of the documents would show that the name of the petitioner appears as nominee of the deceased namely Late A.K. Namdeo. Since the document of the nomination for the family pension contains the name of the petitioner, it would not be proper to ask a widow to produce the succession certificate. The payment of interim pension also fortifies the fact that the relation has been accepted, however, except part the entire dues has not been released. Under the circumstances, the respondents are directed to settle the entire retiral dues of the petitioner within a period of 60 days from the date of receipt of copy of this order.
4. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge