

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8563 of 2018**

Lalman S/o Thakurdin Aged About 72 Years R/o Village Hira Dafai,
Post South Jhagrakhand, District Koriya Chhattisgarh.

---- Petitioner**Versus**

1. South Eastern Coalfields Limited Through Its Chairman Cum Managing Director, Seepat Road, Bilaspur Chhattisgarh.
2. Regional Commissioner, Coal Mines Provident Fund Office, Pension Payment Incharge, Post Gupteshwar, Jabalpur (Madhya Pradesh)
3. Personnel Manager North Jhagrakhand Colliery, Post South Jhagrakhand, Colliery, District Koriya Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Parag Kotecha, Advocate
For respective Respondents	:	Mr. Sudhir Kumar Bajpai, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****07/01/2019**

1. The claim of the petitioner in the present writ petition is that though the petitioner has retired in the year 2007, but he has not been granted the pensionary benefits and retiral dues as per the National Coal Wage Agreement, 2006.
2. The counsel for the petitioner submits that the Coal Mines Provident Fund Organization vide Annexure P/2 had already sought for certain details from the employer i.e. the respondents, so that the computation and the payment could be made to the petitioner, but no further development has transpired thereafter and as such the petitioner is being put to substantial loss because of the non-revision of his pensionary benefits.

3. Given the said nature of dispute, this Court does not intend to keep the writ petition pending rather ends of justice would serve if a direction is given to the respondents No. 2 & 3 to ensure that necessary steps are taken, enabling the petitioner to get the revised pensionary benefits, which if he is otherwise entitled for. This Court has not expressed any opinion, so far as his entitlement is concerned. The authorities concerned would scrutinize the claim of the petitioner, while taking into account the records of the petitioner and his date of retirement for the purpose of deciding, whether the petitioner is entitled for the benefit or not?
4. It is made clear that if the petitioner is entitled for the benefits, then the settlement should be finalized at the earliest preferably within a period of 4 months from the date of receipt of the certified copy of this order.
5. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge