

HIGH COURT OF CHHATTISGARH AT BILASPUR**W.P.(S) No. 10096 of 2019**

B.L. Jogi, S/o. Late Dhanau Ram Jogi, Aged About 72 Years, Retired Lab Technician, R/o. Village Pandariya, Ghoghrapara, Post Pandariya, District Kabirdham Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Health And Family Welfare Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District - Raipur Chhattisgarh.
2. Joint Secretary, General Administration Department, Pension Redressal Committee, Raipur, District Raipur Chhattisgarh.
3. Director, Directorate, Health Services, Indrawati Bhawan, Nava Raipur, Atal Nagar, District - Raipur Chhattisgarh.
4. Accountant General Of Chhattisgarh, Raipur, District Raipur Chhattisgarh.
5. Collector, Bilaspur, District Bilaspur, Chhattisgarh.
6. Chief Medical And Health Officer, Bilaspur, District Bilaspur Chhattisgarh.
7. Civil Surgeon, District Hospital Bilaspur, District Bilaspur Chhattisgarh.
8. District Treasury Officer, Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Harish Khuntiya, Advocate

For State : Ms. Akanksha Jain, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****04.12.2019**

1. The petitioner was retired on 30.09.2007 and this case pertains to grievance of non-grant of retiral dues/pension. Learned counsel appearing for the petitioner, on instructions, submits that the matter may be referred to the pension committee.
2. This Court, in the matter of W.P.No. 4642/2004 (Bajinath Mandal Vs. The State of Chhattisgarh & others) and other connected matters, directed the Committee to consider the matter of retiral dues as the disputed question of facts were involved. The Committee was constituted by the State Government, pursuant to the order dated 19.06.2006 passed in W.P. No.

1961/2006 (Smt. Keja Bai Chandrakar Vs. State Government of Chhattisgarh and others), and order dated 13.3.2008 passed in M.C.C. No. 105 of 2008 (State of Chhattisgarh and others Vs. Baijnath Mandal and another). Thus, this petition is squarely covered by the judgment and order dated 31st January, 2008 passed in W.P. No. 4642/2004 (Baijnath Mandal (supra) as submitted by learned counsel appearing for the parties.

3. This petition is accordingly disposed of in the same terms i.e., the office of the Advocate General is directed to send the case to the Committee, within a period of 15 days from the date of receipt of a copy of this order as well as a copy of the petition from the petitioner. Thereafter, the Committee shall issue notice to the petitioner and officers concerned within a further period of 15 days. The Committee shall consider and pass order, in accordance with law, after affording proper opportunity of hearing to the petitioner. The petitioner and the officers concerned may file additional documents, if necessary. The entire exercise, including payment of retiral dues, if any, to the petitioner, be completed within a period of four months from the date of receipt of a copy of this order.
4. The petitioner shall supply one complete set of the petition to the State counsel for transferring the same to the Committee.
5. In case of grievance with regard to non-payment of pensionary dues, it is not necessary to file a writ petition before this Court directly. The representation/application can be moved before the Pension Committee, as stated above. The Pension Committee shall not refuse to entertain the representation/ application, if so filed directly.
6. With such observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge