

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 10305 of 2019**

1. Vimal Kumar Verma, S/o. Late Shri Gopeshwar Prasad Verma, Aged About 24 Years, R/o. Village Satbhanva, Post - Bhainsa, Tahsil - Tilda, District Raipur, Chhattisgarh.
2. Bharti Verma, W/o. Shri Pawan Verma, Aged About 31 Years, D/o. Late Gopeshwar Prasad Verma, R/o. Kailashpuri, Raipur, District Raipur Chhattisgarh.
3. Mamta Verma, W/o. Shri Govind Verma, Aged About 25 Years, D/o. Late Gopeshwar Prasad Verma, R/o. Bhathapara, Village Suhela, District Balodabazar Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh, Through The Secretary, Department Of Education, Mantralaya, Mahanadi Bhawan, Police Station Rakhi, Naya Raipur, District Raipur Chhattisgarh.
2. District Education Officer Raipur, District Raipur Chhattisgarh.
3. Block Education Officer, Block - Tilda Nevra, District Raipur Chhattisgarh.
4. Principal Govt. High School Sarora, Block Tilda, District Raipur Chhattisgarh.
5. Smt. Rajeshwari Verma, W/o. Sanat Verma, R/o. Shyam Nagar, Tilda, Post And Police Station Tilda Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Mayank Chandrakar, Advocate
For State	:	Mr. Ravish Verma, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****09.12.2019**

Heard

1. The petitioners claimed to be the legal heirs of Late Gopeshwar Prasad Verma. It is contended that Late Gopeshwar Prasad Verma was working as Assistant Grade-II at Government High School Sarora, Block Tilda, District Raipur and he died in harness on 19.06.2019. It is submitted that after his death, the retiral dues were claimed by the respondent No.5 though she was not her wife, however, the service book contained her

name. The petitioners submit that the petitioners are the son and daughters of Late Gopeshwar Prasad Verma and the respondent No.5 since has claimed for the retiral dues, which was objected by the petitioners and subsequently the petitioners moved an application before the Succession Court for issuance of succession certificate wherein Smt. Rajeshwari Verma was also a party. He refers to Annexure P-4, which is copy of succession application filed under Section 372 of the Succession Act.

2. State counsel would submit that the amount of retiral dues would be paid after the succession case is decided.
3. Considering the fact that rival claim has been made by the legal heirs and succession case has already been preferred by the petitioners, in order to avoid multiplicity of the suit and proceedings, it is directed that the respondents may not disburse the retiral dues of the deceased Gopeshwar Prasad Verma to either of the parties till the succession certificate is decided by the Court below.
4. With such observation, the writ petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge