

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1850 of 2020

- Kailash Kumar Shrivastava S/o Late Shri Rajendra Kumar Shrivastava Aged About 62 Years Retired Sdo, Pipariya Pariyojana Shrish Karya, Jal Sansadhan Sub Division, District Rajnandgaon Chhattisgarh
---- **Petitioner**

Versus

1. State Govt. Of Chhattisgarh Through The Secretary, Jal Sansadhan Deptt. Ministry, Mahanadi Bhavan, Atalnagar , Capital Complex , Police Station Rakhi , New Raipur Chhattisgarh
2. Chief Engineer Jal Sansadhan Deptt. Sihava Bhavan, Raipur Chhattisgarh.,
3. Superintending Engineer Shivrath Mandal , Durg Chhattisgarh
4. Executive Engineer Jal Sansadhan Department, Chhuikhadan, District Rajnandgaon, Chhattisgarh
5. Chief Executive Officer District Panchayat, Kawardha, Chhattisgarh.
---- **Respondents**

For Petitioner : Mr. Ajay Shrivastava, Advocate

For Respondents/ State : Ms. Akansha Jain, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20.05.2020

1. Heard
2. Learned counsel for the petitioner submits that the petitioner has rendered his services as Sub-Divisional Officer in the Water Resource Department and just before his retirement, an application to the Chief Executive Officer (henceforth CEO) for issuance of NOC was submitted vide Annexure P/3, however, no decision has yet been taken on such claim of the petitioner, consequently, the retiral dues of the petitioner are not being released. He further submits that after retirement, the petitioner has made a representation to the Executive Engineer, Water Resources

Department Janjgir vide Annexure P/2 dated 17.02.2020 for releasing the amounts of gratuity, G.P.F., Group Insurance and the estimated pension. Learned counsel submits that for the time being, the representation (Annexure P/2) may be directed to be decided so that the petitioner may know the fact where he stands.

3. Without going into the merits of this case, since the petitioner stands retired on 31.12.2019 and the representation has already been filed to the Executive Engineer, Water Resources Department vide Annexure P/2 which appears to have been submitted by him on 17.01.2020, the Executive Engineer, Water Resources Department is directed to decide the representation of the petitioner as has been prayed for, within a period of 90 days from the date of receipt of copy of this order.
4. Likewise, since one application has also been made to the CEO Janpad Panchayat Kawardha for issuance of NOC vide Annexure P/3, the petitioner shall be at liberty to make a fresh representation to the CEO within a period of 30 days from today and on receipt of such an application, the CEO Janpad Panchayat Kawardha shall be obliged to decide the same within a further period of 45 days so that eventually the representation made by the petitioner to the Executive Engineer, Water Resources Department may be decided by the Executive Engineer about the entitlement of the petitioner to claim the retiral dues.
5. With the above observations/ directions, the writ petition finally stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge