

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3239 of 2020

Chandrabhushan Dubey S/o Bhuwanlal Dubey, Aged About 63 Years R/o
Village Karnaud, Tahsil Champa, District Janjgir Champa Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Water Resources Department,
Mahanadi Bhawan, Raipur, Tahsil And District Raipur Chhattisgarh
2. Superintendent Engineer, Water Resources Department, Hasdeo Project,
Rampur, Korba Division, District Korba Chhattisgarh
3. Executive Engineer, Hasdeo Canal, Water Management Division,
Champa, District Janjgir Champa Chhattisgarh
4. Director, Treasury, Audit And Pension Department, Bilaspur Division,
Bilaspur Chhattisgarh

---- Respondents

For Petitioner : Mr. Ravindra Sharma, Advocate.

For State/Respondents : Ms. Richa Shukla, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

26.08.2020

1. Grievance of the petitioner is that the petitioner has retired on 30.06.2019 and thereafter in the office enquiry no demand and dues was issued to him on 08.10.2019 by Annexure P-3. Despite that the retiral dues of the petitioner, gratuity & pension etc. are not being released. He would submit that the petitioner therefore has made an application to the respondent No.3 under whom he was working to release the retiral dues by Annexure P-4, which is still has not been decided till date.
2. The documents would show that it is not in dispute that the petitioner has retired on 30.06.2019 as per Annexure P-3 from the post of Assistant Grade-III. Thereafter, no demand and no dues certificate was issued to him on 08.10.2019 (Annexure P-3). Since the petitioner stands retired and

long time i.e. almost one year has passed, therefore, the petitioner has further made a representation by Annexure P-4 dated 23.06.2020. Considering the same, it is directed that the respondent No.3 shall decide the application of the petitioner Annexure P-4 within a further period of 45 days from the date of receipt of a copy of this order and thereafter in view of the letter dated 08.10.2019 the retiral dues of the petitioner be released in his favour. If the retiral dues are withheld then in case of levy of interest for late payment, it would be the responsibility of the concerned officer who withholds the release of retiral dues and burden would not be on the government exchequer. The petitioner shall have a liberty to approach this Court in future if grievance is not redressed.

3. With the aforesaid observation, the petition stands disposed off.

**Sd/-
Goutam Bhaduri
Judge**

Aks