

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3055 of 2020

- Bhaktooram Sahu S/o Late Nirdheen Ram Sahu Aged About 66 Years (Retired Assistant Sub Inspector) Ambika Bhavan Bhatgaon Chowk, Gokulpur Ward Dhamtari Police Station City Kotwali Dhamtari Tahsil And District Dhamtari Chhattisgarh ----- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Director General Of Police Phq, Naya Raipur, Chhattisgarh
2. Office Of Inspector General Of Police Raipur Range Shankar Nagar Raipur, Chhattisgarh
3. Additional Superintendent Of Police Dhamtari, District Dhamtari, Chhattisgarh ----- **Respondents**

For Petitioner	:	Mr. U.N.S. Deo, Advocate
For State	:	Mr. Amrito Das, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10/08/2020

1. Heard
2. Learned counsel for the petitioner submits that against the finding of the departmental enquiry wherein it was ordered that 10 percent of the petitioner's pension would be deducted for one year, the petitioner has preferred an appeal before the respondent No.1 i.e. Director General of Police on 15.11.2018. He submits that since the petitioner stands retired, therefore, the petitioner as of today prays that the appeal preferred by him before the Director General of Police may be decided within a period of 30 days and further his remaining pension may be released as per the penalty imposed upon him which has outlived his life with the period of time.

3. Learned State counsel submits that with respect to the payment of pension, no whisper has been made in the writ petition by the petitioner, therefore the respondents are not aware as to how much amount has to be paid to the petitioner.
4. Perusal of the document would show that certain punishment was imposed upon the petitioner withholding of 10 percent of his pension for one year and further observations were made against which an appeal was preferred by the petitioner on 15.11.2018 (Annexure P/10) and subsequent reminders were given on 31.12.2018 and 19.03.2019.
5. Be that as it may, at this stage no purpose would be served to keep this petition pending. Under these circumstances since the petitioner has already preferred an appeal before the respondent No. 1 against the finding of the departmental enquiry to impose the punishment, therefore the respondent No. 1 is directed to decide the appeal of the petitioner within a period of 90 days from the date of receipt of copy of this order. Since the petitioner stands retired and in order to avoid the multiplicity of the proceedings, as the prayer is made before this Court that his pensionary benefit may be released which has not been released, considering the fact that the petitioner is already retired, therefore the said aspect of releasing the payable pension to the petitioner shall also be considered by the State in terms of subject to limited punishment imposed by the disciplinary authority.
6. With the aforesaid directions/ observations, the writ petition stands finally disposed off.

Sd/-
(Goutam Bhaduri)
Judge