

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 4516 of 2020

Shyam Sunder Tandon S/o Late Hira Lal Tandon, Aged About 62 Years Retired- Head Constable, At- P.S. Palari, District Baloda Bazar Bhatapara (Chhattisgarh) R/o Village and P.S. Palari, District Baloda Bazar Bhatapara Chhattisgarh.

---Petitioner(s)

Versus

1. State Of C.G. Through The Secretary, Department of Home, Mantralay, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, Raipur.
2. The Inspector General of Police, Raipur Range, Raipur Chhattisgarh.
3. The Superintendent of Police, Baloda Bazar District Baloda Bazar Bhatapara Chhattisgarh.

---Respondents

For Petitioner	:	Shri Rajesh Kumar Kesharwani, Advocate.
For Respondent-State	:	Shri Sudeep Verma, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

24.11.2020

1. Learned counsel appearing for the petitioner submits that subsequent to the filing of the writ petition, a development that has arisen is that the respondents have released 90 percent of the retiral dues to the petitioner and only 10 percent of the retiral dues have now been withheld by the respondents without any sufficient and cogent reason.
2. Given the aforesaid submissions made by the counsel for the petitioner, this court is of the opinion that the substantial grievance of the petitioner stands redressed. However, as regards the retention of 10 percent of the retiral dues is concerned, since the counsel for the petitioner submits that till date he has not been issued with any charge sheet nor was there any disciplinary proceeding pending at the time of his retirement, this court does not see any good reason why the remaining 10 percent of the retiral dues also should not be released to the petitioner at the earliest. This court

therefore disposes of the writ petition at this juncture with a direction to the respondents to scrutinize the claim of the petitioner so far as balance of retiral dues is concerned in accordance with service rules governing the field at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.

3. The writ petition accordingly stands disposed of. No order as to costs.

Sd/-
(P. Sam Koshy)
Judge

inder