

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****CONT No. 1018 of 2018**

- Mukund Ram S/o Punicharan Aged About 63 Years R/o Rani Kombo Police Station Narayanpur, Tahsil Kunkuri, District Jashpur, Chhattisgarh.

---- Petitioner**Versus**

- Vijay Kumar Gupta Sub Divisional Officer, Public Works Department Kunkuri, District Jashpur, Chhattisgarh.

---- Respondent

For Petitioner	:-	Mr. Harish Khuntiya, Advocate
For Respondent	:-	Mr. Akhilesh Kumar, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**13/02/2020**

1. In Writ Petition(S) No.1922 of 2015, the respondents were directed to decide the issue concerning petitioner's entitlement to pension in accordance with the law laid down by this Court in Writ Appeal No.281 of 2013.
2. While replying to the contempt, respondent filed a communication dated 18.06.2018, Annexure – C/6, to the effect that because of petitioner's refusal to deposit the CPS amount, the pension papers are not finalized.

3. On the previous date of hearing, this Court had directed the respondent to file an affidavit as to what additional amount, over and above the amount of CPS, the petitioner is entitled for, at the time of finalization of his pension.
4. Today Mr. Akhilesh Kumar, learned counsel for respondent would submit that petitioner is required to refund to the State a sum equal to 50% of the CPS amount of ₹1,93,470/-. He would also submit that the accumulated arrears for which the petitioner is entitled would be around ₹ 2.5 Lacs, therefore, if the Court permits, the amount which the petitioner is liable to refund to the State would be adjusted in the amount of arrears to be paid to the petitioner and thereafter his pension papers shall be finalized and balance arrears shall be paid.
5. Mr. Harish Khuntiya, learned counsel for the petitioner would agree to the proposition put forth by the learned counsel for the contemnor/respondent.
6. In view of the statement made by learned counsel for the parties, the contempt petition is disposed of with following directions:-
 - The Competent Authority shall finalize the pension after deducting 50% of ₹ 1,93,470/- from petitioner's arrears for which he is entitled for.

- Necessary steps shall be taken by the Joint Director, Treasury, Accounts and Pension, Ambikapur, District Sarguja, C.G., the respondent No.4 in the Writ Petition, for finalizing the pension.
- Petitioner's pension shall be finalized and arrears be paid within a period of two months from today.

7. In the above stated terms, the contempt petition stands disposed of.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi