

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 382 of 2021

1. Ghanshyam Prasad Kandra S/o Late Shri Chamru Lal Kandra Aged About 63 Years Retired Senior Accountant, Chhattisgarh State Forest Development Corporation Ltd., R/o Shantideep Colony, Near-Navin Bazar, Kawardha, District- Kabirdham (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Forest Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District- Raipur (Chhattisgarh),
2. Principal Chief Conservator Of Forest, Forest Department, Aranya Bhawan, North Block, Sector 19, Nawa Raipur, District - Raipur (Chhattisgarh),
3. The Regional General Manager Chhattisgarh State Forest Development Corporation Ltd., B-7, Sector-2, Devendra Nagar, Raipur, District- Raipur Chhattisgarh.
4. Managing Director Chhattisgarh State Forest Development Corporation Ltd., Lokash Plaza, Shankar Nagar, Raipur, District - Raipur Chhattisgarh
5. Divisional Manager Kawardha Project Division, Chhattisgarh State Forest Development Corporation Ltd., Kawardha, District - Kabirdham (Chhattisgarh)
6. Divisional Manager Kota Project Division, Chhattisgarh State Forest Development Corporation Ltd., Bilaspur, District- Bilaspur (Chhattisgarh)
7. The Accountant General Zero Point, Baloda Bazar Road, Post Office - Vidhansabha, Nawa Raipur, District - Raipur (Chhattisgarh)

---Respondents

For Petitioner	:	Shri Dharmesh Shrivastava, Advocate.
For State	:	Shri Sudeep Verma, Dy. G.A.
For Respondent No. 7	:	Shri Rajkumar Gupta, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08.02.2021.

1. The grievance of the petitioner in the present writ petition is non releasing any of the retiral dues payable to the petitioner on his retirement on 30.06.2019.

2. According to the Counsel for the petitioner, the petitioner has retired from service on the post of Senior Accountant under the Chhattisgarh State Forest Development Corporation Ltd. While in service, the petitioner was placed under suspension on 10.10.2017 by the Respondent No. 3, thereafter, a chart-sheet was issued on 29.05.2018 however thereafter no further development took place on the departmental enquiry front. That subsequently, the petitioner stood retired from service on attaining the age of superannuation on 30.06.2019. However, in between, the petitioner was implicated in a criminal case and was arrested for an offence punishable under the Prevention of Corruption Act and it has been informed to this Court that the petitioner finally stood convicted in the said case.
3. It is submitted by the learned counsel for the petitioner that though he has retired on 30.06.2019, however till date he has not received a single penny towards his retiral dues and the counsel for the petitioner prays that the writ petition at this juncture may be disposed of directing the respondent No. 3 to 6 to take a decision on the claim of the petitioner for retiral dues.
4. According to the petitioner in-spite of being convicted in a criminal case, the petitioner on attaining the age of superannuation would be entitled for certain admissible retiral dues, at least the same may be released as an interim measure.
5. Given the said submission made by the Counsel for the petitioner, the writ petition is disposed of with a direction to the respondents No. 3 to 6 to take an appropriate decision on the claim of the petitioner

so far as releasing of the admissible retiral dues that he is entitled for and let a decision in this regard be taken at the earliest preferably within a period of 90 days.

6. The authorities concerned are also expected to take a decision as regards the other dues whether it would be payable to him or not in the light of his conviction in a criminal case initiated against the petitioner, the same also be decided within a stipulated period.
7. The writ petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha