

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 480 of 2021**

Premchandra Lakra S/o Late Thigu Ram Aged About 63 Years Occupation Retired Driver Jila Panchayat Ambikapur Surguja Chhattisgarh R/o Village Shivrathpur P. S. And Tehsil Sitapur District Surguja Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Director, Panchayat Directorate Of Public Instruction, Indrawati Bhawan, New Raipur District Raipur Chhattisgarh
2. Commissioner Surguja Division Ambikapur District Surguja Chhattisgarh
3. Collector Surguja Ambikapur District Surguja Chhattisgarh
4. Chief Executive Officer Jila Panchayat Surguja Ambikapur District Surguja Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Nishi Kant Sinha, Advocate
For State	:	Mr. Vikas A. Shrivastava, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****11/02/2021**

1. The grievance of the petitioner in the present writ petition is the non-granting of the retiral dues payable to the petitioner.
2. According to the petitioner, he was an employee under the respondent No.4 working on the post of Driver. Vide order dated 06.11.2015 for an alleged act of dereliction of duty, the petitioner was placed under suspension pending departmental enquiry.
3. Though a charge-sheet has been issued and a reply to which has also been submitted by the petitioner, but thereafter there has been no substantial progress to the inquiry and finally on 31.07.2018 the petitioner on attaining the age of superannuation stands retired from

service. Though the petitioner has retired from service, till date he has not been paid any retiral dues payable to him including the provident fund amount.

4. Taking into consideration the contents of the order of suspension it does not reflect the charges to be that of any financial irregularity causing loss to the respondents-establishment, but is only for dereliction of duty.
5. Given the said facts and circumstances of the case, the writ petition at this juncture stands disposed of directing the respondents No.2 to 4 to immediately process the claim of the petitioner, so far as the admissible retiral dues that he would be entitled for. Let the said be considered and finalized within an outer limit of 90 days from the date of receipt of the copy of this order.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved