

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 1614 of 2021

1. Smt. Utari Bai Kashyap W/o Late Sukhi Ram Kashyap Aged About 46 Years Post Dongakoroud, Tahsil Pamgarh, District Janjgir Champa Chhattisgarh
2. Mithlesh Kashyap S/o Late Sukhi Ram Kashyap Aged About 10 Years Post Dongakoroud, Tahsil Pamgarh, District Janjgir Champa Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh.
2. Director Chhattisgarh Public Instruction, Indrawati Bhawan, Atal Nagar, Nawa Raipur Chhattisgarh
3. The Collector District Janjgir Champa Chhattisgarh
4. District Education Officer District Janjgir Champa Chhattisgarh
5. Block Education Officer Pamgarh, District Janjgir Champa Chhattisgarh
6. Joint Director Treasury Account and Pension, Division Bilaspur District Bilaspur Chhattisgarh
7. Treasury Officer Treasury Account and Pension, District Janjgir Champa Chhattisgarh.
8. Shri Malik Ram Jonshn Working As Assistant Grade-Iii, At Office Of Block Education Officer, Pamgarh District Janjgir Champa Chhattisgarh
9. Smt. Rameshwari Kashyap W/o Late Sukhi Ram Kashypa Aged About 55 Years Post Dongakoroud, Tahsil Pamgarh, District Janjgir Champa Chhattisgarh
10. Kamta Prasad Kashyap S/o Late Sukhi Ram Kashyap Aged About 30 Years Post Dongakoroud, Tahsil Pamgarh, District Janjgir Champa Chhattisgarh

---Respondents

For Petitioners	:	Shri Somkant Verma, Advocate.
For Respondent State	:	Ms. Akanksha Jain, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16.03.2021

1. After arguing for some time the counsel for the petitioners makes a limited prayer for disposal of the writ petition with a direction to the respondents to decide the pending representation of the petitioners so far as non releasing of the pensionary benefits to the petitioners are concerned.
2. From the writ petition it appears that the dispute seems to be between two wives of late Sukhi Ram Kashyap. It also appears that first wife Smt.

Rameshwari Kashyap and her son Kamta Prasad Kashyap both are still alive and Kamta Prasad had already got compassionate appointment on the basis of consent/NOC given by the present petitioner. There seems to some death cum retiral dues which were distributed between the petitioner No.1 and the first wife Rameshwari Kashyap. It also appears that the name of the petitioner No.1 also stands reflected in the Service Book of the deceased employee. However, pensionary benefits and other dues payable have not been finalized/settled till now.

3. Under the circumstances, the respondents No.2,4 and 5 are directed to take appropriate decision on the representation of the petitioner strictly in accordance with law and rules governing the field at the earliest preferably within a period of 90 days from the date of receipt of copy of this order. It is made clear that this court has not made any observations on the merits of the entitlement of the petitioner is concerned.
4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge