

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1378 of 2020**

1. Santosh Khairwar S/o Late Ram Narayan Khairwar Aged About 37 Years
Occupation Peon, In The Office Of Town And Country Planning
Baikunthpur District Korea Chhattisgarh **---- Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban
Administration And Development, Mahanadi Bhawan, Mantralaya, Atal
Nagar, Nawa Raipur District Raipur Chhattisgarh
2. The Collector Baikunthpur District Korea Chhattisgarh
3. Joint Director Town And Country Planning, Baikunthpur District Korea
Chhattisgarh
4. Joint Director Town And Country Planning, Ambikapur District Surguja
Chhattisgarh **---- Respondents**

For Petitioner	:	Mr. Sunil Tripathi, Advocate.
For State	:	Mr. Vivek Ranjan Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****09/04/2021**

1. The grievance of the petitioner in the present writ petition seems to be the non releasing of salary to the petitioner since September 2009 on-wards.
2. The respondents have entered appearance and have submitted their reply wherein they have disputed the releasing of payment on various grounds; firstly on account of non receipt of LPC from the earlier place of posting. Secondly, there being some disputes in respect of certain applications for leave which the petitioner had moved for the period in the month of November 2019. Thirdly, the State Counsel referred to their reply and submitted that the petitioner having been transferred to District Korba has till date not

assumed his duty and he has remained absent for a considerable long period and for which notices have been issued to him periodically.

3. All these facts have been disputed and denied by the learned counsel for the petitioner saying that the petitioner in-fact is till date discharging his duty at the transferred place.
4. Given the nature of dispute that the petitioner has raised, this Court is of the opinion that since the dispute deals with, more of verification and enquiry, it would be more appropriate for this Court to dispose of the writ petition directing the respondents No. 3 & 4 to immediately scrutinize the claim of the petitioner in accordance with the Rules governing the field. That in case if the petitioner is entitled for any salary, the same should be promptly released. In case if he is not entitled for the salary, an appropriate order rejecting his claim should be intimated and communicated to the petitioner. In case if the respondents have already initiated disciplinary action, the same should also be ensured to be properly concluded in accordance with the provisions of law at the earliest. Let an appropriate decision be taken by the respondents No. 3 & 4 with a period of 60 days from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge