

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1214 of 2020**

Ravindra Tiwari S/o Late Koushal Prasad Tiwari Aged About 63 Years
Resident Of Village- Madwa, Tahsil Chandia, District Umariya Madhya
Pradesh

---- Petitioner**Versus**

1. South Eastern Coalfields Limited Through- Managing Director, S.E.C.L. Bhawan, Seepat Road, Bilaspur, Tahsil And District Bilaspur Chhattisgarh
2. Sub-Area Manager Chirimiri, Opencast Project, South Eastern Coalfield Limited, District Koriya Chhattisgarh
3. Dy. Chief Personnel Manger Chirimiri Area, South Eastern Coalfield Limited, Chirimiri, District Koria Chhattisgarh

---- Respondents

For Petitioner	:	Ms. Meena Shastri, Advocate.
For Respondent/s	:	Mr. V.R. Tiwari, Sr. Advocate with Mr. Atul Kesharwani, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****17.09.2021**

1. The grievance of the petitioner in the present writ petition seems to be the inaction on the part of the respondents in not settling the retiral dues payable to the petitioner.
2. The petitioner in the instant case was working under the respondents as an Electrician and he stood retired from service on crossing the age of superannuation w.e.f. 31.08.2017. According to the petitioner, on the date of retirement it was NCWA-X which was in force and petitioner was entitled for all the post retiral benefits in terms of the NCWA that was in force on the date of retirement of the petitioner. However, the petitioner has not been given post retiral benefits in

terms of the said NCWA governing the field at the time of his retirement.

3. The writ petition is of the year 2020 and respondents have been granted time to file reply which till date has not been filed. Since, the claim of the petitioner is for settlement of his dues in terms of NCWA- X which was in force on the date of his retirement, this Court is of the opinion that no fruitful purpose would be served in keeping the writ petition further pending awaiting the reply of the respondents. The writ petition at this juncture stands disposed of directing the respondents to immediately process the claim of the petitioner so far as grant of post retiral benefits in terms of the NCWA governing the field on the date of his retirement at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
4. It is made clear that in case if it has been found that petitioner is entitled for any monetary benefits, the entire payable dues should also be settled within the said stipulated period of 60 days, failing which the entire amount payable to the petitioner shall carry interest at the rate of 10% per annum from the date of retirement till the date the actual payment is made. In case if he is not entitled for the same appropriate decision be intimated to the petitioner showing reasons for the same.
5. With the aforesaid observation, the writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge