

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1716 of 2021**

1. Girwar Singh Dhurve S/o Late Banwar Singh Dhurve Gond Aged About 76 Years R/o Khapri, Tehsil Nawagarh, District Bemetara Chhattisgarh.

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue And Disaster Management Department, Mantralaya, mahanadi Bhawan, Atal Nagar, Raipur , District Raipur Chhattisgarh.
2. Collector Janjgir, District Janjgir Champa Chhattisgarh.

---- **Respondents**

For Petitioner	:	Shri C. Jayant K. Rao, Advocate.
For State	:	Shri Vivek Ranjan Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****09.04.2021**

1. The limited grievance that the petitioner has, is the non granting of the benefit of Kramonnati only on the ground that ACR and Service Book of the petitioner was not available.
2. The contention of the counsel for the petitioner is that for both these grounds, the petitioner is not any manner responsible and both these documents are one which are available with the respondents.
3. Having heard the contention of the petitioner, this Court is of the opinion that only on account of the ACR of the petitioner being not available and the service records of the petitioner not being available with the competent authority cannot be a ground for rejecting the benefit which the petitioner is otherwise entitled for. Moreover, the

petitioner is a retired employee and his case ought to have been considered on priority basis.

4. Given the said facts and circumstances of the case, the respondents No. 1 & 2 are hereby directed to immediately ensure that the ACR of the petitioner as also the service records of the petitioner is placed at the earliest and appropriate benefit of Kramonnati if he is otherwise entitled for under rules be released to the petitioner within an outer limit of four months from the date of receipt of copy of this order. If the dues are not settled within the period of four months, the petitioner would be entitled for interest @ 10 % per annum, on the entire amount payable to him from the date of his retirement till the date of actual payment. The interest would be recoverable from the erring officials who have not promptly processed the claim of the petitioner.
5. The writ petition accordingly stands disposed of.

Sd/-

P. Sam Koshy
Judge