

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 1841 of 2021**

Nandkeshwar Prasad S/o Late Bharat Ram, Aged About 60 Years, R/o
Village- Tiliga, Post- Jamdih, Ambikapur, District- Ambikapur,
Chhattisgarh

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

1. State Of Chhattisgarh Through The Secretary, Water Resources
Department Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur,
District- Raipur, Chhattisgarh
2. Chief Engineer, Minimata (Hasdeo Project) Bilaspur, Chhattisgarh
3. Executive Engineer, Kelo Project, Service Division Raigarh, District-
Raigarh, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. K. P. S. Gandhi, Advocate
For State	:	Mr. Rahul Jha, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****07.05.2021**

1. The dispute in the present writ petition seems to be in respect of the non-releasing of salary payable to the petitioner from the month of January, 2021 onwards.
2. The petitioner in the present writ petition was appointed as a peon under the respondents. While in service the petitioner suffered from paralytic stroke in the year 2020 and was on medical leave for a considerable period of time. After the petitioner recovered a little bit he joined his duties in December, 2020 and according to the petitioner,

since then he has been discharging his duties and the authorities also have been kind enough to provide light work to the petitioner that he could do physically. However, since January, 2021 he has not been paid any salary till date.

3. Though this Court on 24.03.2021 had asked the State counsel to seek instruction as regards the present status of the petitioner, the State counsel today also could not get any instruction from the department and prays for further time.
4. Meanwhile, learned counsel for the petitioner submits that because of the non-releasing of salary to the petitioner for about last 4-5 months, the petitioner faces severe financial crunch both for sustaining himself and his dependents at the first instance and secondly also for meeting the medical expenses which he is incurring on account of his illness.
5. Given the nature of submissions by the learned counsel for the parties this Court is of the opinion that no fruitful purpose would be served in keeping the writ petition pending and calling for reply of the respondents. Rather in the opinion of this Court, ends of justice would meet if the respondents 2 & 3 are directed to immediately look into the grievance of the petitioner and ensure that in case the petitioner has been permitted to resume his duties since January, 2021 and he is discharging his duties since then as contended by the petitioner, appropriate steps be taken for releasing his salary for the said period at the earliest. The decision of the respondents 2 & 3 shall be subject to verification of facts and also in accordance with the service rules governing the field.
6. Let an appropriate decision be taken at the earliest preferably within a period of 30 days from the date of receipt of copy of this order. The petitioner is directed to produce the copy of this order before the

respondents 2 & 3 promptly for an early decision. State counsel is also directed to intimate the respondents 2 & 3 for an early decision.

7. The writ petition accordingly stands disposed of.

**Sd/-
P. Sam Koshy
Judge**

Khatai