

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 203 of 2021**

{Arising out of order dated 06.12.2016 passed by the learned Division Bench in Writ Appeal No. 562 of 2016}

1. Bank of Baroda (Erstwhile Dena Bank) Through Its Managing Director, Head Office Maker Towers (E) Cuffe Parade Mumbai (MH) 400005. Through Its Managing Director Head Office Maker Towers (E) Cuffe Parade, Mumbai, Maharashtra.
2. Bank of Baroda (Erstwhile Regional Manager, Dena Bank, Raipur (CG)) Through Its Regional Manager Mohan Nagar, Durg, Chhattisgarh.
3. Bank of Baroda (Erstwhile Regional Manager, Dena Bank Mohan Nagar Durg (CG)) Branch Manager Mohan Nagar Durg, Chhattisgarh.

---- Applicants

Versus

1. Himanshu Namdeo, S/o Late Shri Bhola Nath Namdeo, aged about 39 years.
2. Jitendra Namdeo, So Late Shri Bhola Nath Namdeo, aged about 36 years.
3. Namdeo, S/o Late Shri Bhola Nath Namdeo, aged about 34 years.
4. Rashmi Namdeo, D/o Late Bhola Nath Namdeo, aged about 28 years.
5. Manorama Namdeo, W/o Late Bhola Nath Namdeo, aged about 62 years.

No. 1 to 5 All R/o Purani Civil Lines, Ward No. 13, Sarangapani Chal, Rajnandgaon.

6. Superintendent of Police, Durg, Chhattisgarh.

---- Non-Applicants

For Applicants	:	Shri Vinod Deshmukh, Advocate.
For Non-Applicant/State	:	Shri Sudeep Agrawal, Deputy Advocate General.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Justice Parth Prateem Sahu, Judge

Order on Board

Per P. R. Ramachandra Menon, Chief Justice

09.04.2021

1. The present MCC has been filed by the Applicants who were the Respondents herein in Writ Petition No. 2330 of 2003 and WA No. 188 of 2016. The prayer is for extension of time for implementing the direction given by this Court in the writ appeal.
2. As brought up by the learned counsel, the writ petition was filed for granting the terminal dues and family pension in respect of the person who was an employee of the erstwhile Dena Bank, Durg (C.G.), who was stated missing from 14.11.1996 onwards. It was also brought on record that the civil death was declared by the competent Civil Court. The Bank however, declined to accede to the request for granting the benefits including the claim for compassionate appointment; which was the subject matter of challenge before the Court in the writ petition.
3. After passing the verdict by the learned Single Judge, declining the reliefs, the matter came up for consideration before the Division Bench; where it was noted that there was no ground to grant the relief for compassionate appointment. However, the impugned order on other heads was set aside and the Bank was directed to satisfy the retirement benefits in view of the continuous service of more than 25 years with interest as specified and to grant the family pension in accordance with

law. Though it was sought to be challenged by filing SLP before the Apex Court, it came to be dismissed as per Annexure-A/3 order dated 03.02.2021.

4. It is pointed out by the learned counsel for the Petitioner-Bank that steps have already been taken to implement Annexure-A/2 verdict, by giving necessary instructions to the wife of the missing employee (one of the Writ Petitioners) vide Annexure-A/5 dated 25.02.2021. Extension of time is sought for to comply with the direction. We do not find it necessary to issue notice to the Respondents No. 1 to 5 who were the Writ Petitioners/Appellants. After hearing the learned counsel for the Petitioner-Bank, we find it appropriate to grant extension by 'one month' so as to give effect to the verdict passed by this Court.
5. The MCC stands allowed to the said extent.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge