

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2135 of 2021**

1. Deodhar Mahant S/o Late Balram Das Mahant Aged About 64 Years Presently R/o Village And Post Office- Jharna (Baradwar), Tahsil- Champa, District- Janjgir Champa, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through- The Secretary, Revenue And Disaster Management Department, Mantralaya, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh.
2. Commissioner Baster Division At Jagdalpur, District- Baster, Chhattisgarh.
3. Collector Bijapur, District- Bijapur, Chhattisgarh.
4. Sub Divisional Officer (Revenue), Bijapur, District- Bijapur, Chhattisgarh.
5. Tehsildar Bijapur, District- Bijapur, Chhattisgarh. ----**Respondents**

For Petitioner	:	Shri Pushpendra Singh Baghel, Advocate.
For State	:	Smt. Binu Sharma, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

23.06.2021

1. Aggrieved by the decision of the respondents in not settling the pensionary benefits, the present writ petition has been filed.
2. The facts in brief is that the petitioner was working under the respondents as a Tehsildar and he stood retired from service w.e.f. 30.04.2018. At the time of the retirement of the petitioner, he was facing a departmental enquiry which according to the petitioner has since been concluded and stands exonerated of all the charges. According to

the Counsel for the petitioner, after the departmental enquiry was concluded, there is no further enquiry or any criminal case pending against the petitioner which would deny or delay his claim for pensionary benefits.

3. Given the aforesaid facts and circumstances of the case as submitted by the counsel for the petitioner and taking into consideration the fact that the petitioner stands retired for more than three years now, under the service rules, unless there is any proceeding pending there can not be any reason for not releasing the pensionary benefits payable to the petitioner.
4. Accordingly, subject to verification of facts, if there is no further enquiry pending against the petitioner and also if there is no any criminal case pending against the petitioner, under the said circumstances, the respondents are directed to ensure that the pensionary benefits of the petitioner is immediately processed and settled at the earliest preferably within a period of 90 days. In case, if the admissible pensionary benefits are not settled during the said period of 90 days, the entire amount payable inclusive of the arrears would carry interest @ 10 % per annum from the date of retirement till the actual date of payment. The interest part would be recoverable from those officers who are responsible for not processing the claim of the petitioner promptly.
5. The writ petition accordingly stands disposed of.

Sd/-

P. Sam Koshy
Judge