

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2763 of 2021**

Smt. Hero Ekka Wd/o Subhash Ekka, Aged About 47 Years, Ward No. 11, Qt. No. 25/1, Patrapara Gali, Village Rajkheta, Patrapara, Rajkheta, Post Katkalo, Block Mainpat, District Surguja, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Education Department, Mantralaya, Atal Nagar, Nava Raipur, District Raipur, Chhattisgarh
2. The Director Education, State Of Chhattisgarh, Raipur, Chhattisgarh
3. District Education Officer, Narmadapur, Block Mainpat, District Surguja Chhattisgarh
4. Senior Account Officer, Office Of Accountant General, Raipur, State Of Chhattisgarh, Raipur, District Raipur, Chhattisgarh
5. Joint Director, Treasury, Accounts And Pension, Branch Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Pawan Kumar Kashyap on behalf of Mr. Pushpendra Kumar Patel, Advocate
For State	:	Mr. Amrito Das, Addl. Advocate General
For Respondent no.4	:	Mr. Raj Kumar Gupta, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****22.06.2021**

1. The present writ petition seems to be on the inaction on the part of the respondents in not finalizing the death-cum-retiral dues and the pensionary benefits payable to the petitioner upon death of her husband who died in harness.
2. According to the petitioner, her husband late Subhash Ekka was

working as a Headmaster under the respondents and died on 27.07.2014. However, in spite of having all the formalities completed the death-cum-retiral dues and the pensionary benefits have not been finalized so far as the petitioner is concerned.

3. Given the limited grievance that the petitioner has raised in the present writ petition, this Court is of the opinion that considering the period which has lapsed from the date of death of the deceased employee, ends of justice would meet if the writ petition is disposed of at this juncture directing the respondents 2 to 5 to immediately process the claim of the petitioner and release all the admissible dues payable to the petitioner including the death-cum-retiral benefits and the pensionary benefits, if any, to the petitioner within a period of 90 days from the date of receipt of copy of this order, subject to her entitlement of the same after due verification of fact.
4. It is made clear that in the event of the amount payable to the petitioner is not paid without any justifiable reason within 90 days time provided by the Court, the entire dues payable to the petitioner shall carry interest @ 10% per annum from the date it fell due till the actual date of payment. The said interest shall be recoverable from the erring officers responsible for the non-processing of the claim of the petitioner promptly.
5. The writ petition accordingly stand disposed of.

Sd/-
P. Sam Koshy
Judge