

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 3565 of 2021

1. Smt. Dhaniya Ray Wd/o Late Mahesh Ray Aged About 67 Years R/o Krishak Nagar Jora Raipur Tahsil and District Raipur Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Public Health Engineering Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Chief Engineer Public Health Engineering Department, Raipur District Raipur Chhattisgarh
3. Superintending Engineer Public Health Engineering Department, Circle-Raipur District Raipur Chhattisgarh
4. Executive Engineer Public Health Engineering Department, Sub Division 02, Raipur District Raipur Chhattisgarh
5. Joint Director Pension and Lok Lekha Department, Raipur District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Hemant Kesharwani, Advocate.
For State	:	Shri Ishan Verma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14.07.2021

1. The limited grievance that the petition has in the present writ petition is the inaction on the part of the respondents in not processing and settling the pensionary benefits that the petitioner is entitled for.
2. According to petitioner, her Husband namely Mahesh Ray was working as daily wage worker under the respondents since June, 1989. He was subsequently regularized in service vide order dated 23.8.2008. The said worker while in service died on 22.05.2018. The Husband of the petitioner has put in roughly 10 years of regular service under the respondents and had around 20 years of service as daily wage worker, however, till date though more than three years have lapsed that the Husband of the petitioner has died, the respondents till date have not either processed or settled the pensionary benefits payable to the petitioner.

3. Given the said limited grievance that the petitioner has, the writ petition at this juncture stands disposed of directing the respondents No.2 to 5 to immediately process the claim of the petitioner so far as her claim for pension and other pensionary benefits including any death-cum-retiral benefits payable to the petitioner on the death of her Husband who died in harness on 22.05.2018.
4. Let the entire claim of the petitioner be settled within 90 days. In case if admissible dues payable are not settled within the aforementioned period of 90 days, the entire payable dues shall carry interest @ 10 percent per annum and the interest part would be recoverable from the erring official who fail to promptly process the claim of the petitioner.
5. The writ petition accordingly stands allowed and disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder