

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 3958 of 2021

1. Smt. Kushantin Bai Dhaneliya Wd/o Late Ramji Ram Dhaneliya Aged About 60 Years R/o Village Bhaisasur, Tahsil Antagarh, District North Bastar Chhattisgarh

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh
2. Secretary, Department Of Tribal Welfare, Mantralaya, Capital Complex, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh
3. Collector District North Bastar Kanker Chhattisgarh
4. The Joint Director Public Instruction, Bastar Division, Jagdalpur Chhattisgarh
5. The Joint Director Treasury, Accounts And Pensions Jagdalpur Bastar Division, Jagdalpur Chhattisgarh
6. Assistant Commissioner Tribal Welfare, District North Bastar Kanker Chhattisgarh
7. District Education Officer District North Bastar Kanker Chhattisgarh
8. Block Education Officer Koylibeda, District North Bastar Kanker Chhattisgarh

---Respondents

For Petitioner	:	Shri Jeet Patel, Advocate.
For State	:	Shri Ayaz Naved, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02.08.2021

1. The present writ petition has been filed alleging inaction on the part of the respondents in not settling the pensionary benefits and other death cum retiral dues payable to the petitioner on the death of her Husband.
2. According to the petitioner, her husband working on the post of Assistant Teacher died in harness on 15.06.2002. The deceased had put in more than 35 years of service before his death. He was appointed in the year, 1964 and has died on 15.06.2002, yet the petitioner has not been given death cum retiral dues till date. According to the petitioner, after much persuasion the respondents have recently in the year, 2021 released the ex-gratia amount of Rs.25000/- and also group insurance amount of

Rs.75000/-. However, there has been no other dues released to the petitioner. According to the petitioner, she is entitled for amount deposited under the GPF, Family Pension, Gratuity and Leave Encashment etc., none of which has been settled by the respondents.

3. Given the aforesaid factual matrix of the case, the writ petition at this juncture stands disposed of directing the respondents No.4 to 8 to immediately process the claim of the petitioner so far as settlement of entire death cum retiral dues which till date has not been settled, to be processed and settled at the earliest within a period of four months from today, failing which the entire retiral dues shall carry interest @ 10 percent per annum from the date of death of the employee till the actual payment is made. The interest part would be recoverable from the erring officials who have not promptly processed the claim of the petitioner for timely release of death cum retiral dues.
4. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder