

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4843 of 2021

Smt. Indu Khandey W/o Lt. Vishnu Khandey Aged About 29 Years R/o-
Village - Kisan, Parsada, Tehsil - Masturi, P.S. Masturi, District - Bilaspur
Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Chairman And Special Secretary,
Energy Department, Mantralaya, Atal Nagar, New Raipur,
Chhattisgarh, Pin.- 492002
2. Chairman Chhattisgarh State Electricity Board, Vidyut Seva Bhawan,
Dangania, Raipur (Chhattisgarh) Pin - 492013
3. The Executive Director (Bilaspur Region) Chhattisgarh State Electricity
Distribution Company Ltd. Tifra, Bilaspur (Chhattisgarh)
4. The Executive Engineer Chhattisgarh State Electricity Distribution
Company Ltd. (Town) Division 2, West Nehru Nagar, Bilaspur
(Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Chitendra Singh, Advocate
For State	:	Smt. Binu Sharma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy
Order on Board

13/09/2021

1. The grievance of the petitioner in the present writ petition is the
inaction on the part of the respondents in not releasing the family
pension and other death-cum-retiral dues payable to the petitioner on
the death of the husband of the petitioner.

2. The facts of the case is that the husband of the petitioner was working under the respondents as a Parichalak Grade-2 in the office of the respondent No.4 and who died in harness on 07.03.2021. On the date of death the deceased was survived by the petitioner and a 7 years old daughter. The petitioner had approached the respondent authorities on considerable occasion for the release of death-cum-retiral benefits as also for grant of compassionate appointment, but there was no adjudication of the same by the respondents. Then the petitioner had approached this Court by way of a writ petition WPS No. 4521/2015, which was disposed of on 12.02.2016. Based upon which the respondents thereafter had granted compassionate appointment to the petitioner and she is presently working under the respondents. Despite the best efforts the petitioner till date has not been paid the death-cum-retiral benefits as also the pensionary benefits, which the petitioner is entitled for on the death of her husband.
3. Given the fact that the respondents have granted compassionate appointment to the petitioner now, there is no reason why the petitioner should not be granted the other death-cum-retiral dues as also the family pension payable to the petitioner from the date of death of husband of the petitioner.
4. The writ petition accordingly stands disposed of directing the respondents No.2 to 4 to process the entire claim of the petitioner and to settle the death-cum-retiral dues payable to the petitioner upon the death of her husband within an outer limit of 90 days from the date of receipt of the copy of this order, which shall include payment of arrears

of all outstanding dues from the date of death till the date of actual payment. In case if the payments are not cleared within a period of 90 days, the entire amount payable to the petitioner shall carry interest @10% per annum from the date of death till the date of actual payment.

5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved