

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5185 of 2021

Prabhu Lal Ramteke S/o Late Namiya, Aged About 63 Years Retired From
The Post Of Deputy Director (Research) Office Of The Director, Tribal
Research And Training Center, Raipur, District Raipur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Schedule Caste And Schedule Tribe Development Department, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District Raipur Chhattisgarh
2. Commissioner Schedule Caste And Schedule Tribe Development Department, Indrawati Bhawan, Nava Raipur, Atal Nagar, District Raipur (Chhattisgarh)
3. Director, Tribal Research And Training Center, Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. CJK Rao, Advocate.
For State	:	Mr. Ishan Verma, PL

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23.09.2021.

1. The limited grievance that the petitioner in the present writ petition has, is the inaction on the part of the respondents in not settling the post retiral dues payable to the petitioner which includes gratuity, Family pension, leave encashment, Group Insurance and also pension.
2. Contention of the petitioner is that he stood retired from the post of Deputy Director wef 31.07.2020 and though more than 14 months have lapsed, the petitioner has not received a single penny by way of the retiral benefits.
3. Counsel for the petitioner submits that at the time of retirement, there was no enquiry whatsoever pending against the petitioner nor was there any

criminal case or any such hurdle which should have forced the respondents in withholding of the retiral dues. He further submits that only a couple of years before the retirement, he was subjected to a disciplinary enquiry which has finally concluded in the issuance of a minor punishment of only censure on 28.12.2018. The petitioner thereafter has also been promoted from the post of Assistant Director to the post of Deputy Director and thus, there is no further inference on the part of the respondents in finalizing and settling of the retiral dues.

4. Given the said submissions by the learned counsel for the petitioner, the present writ petition as of now stands disposed of directing the respondents to immediately scrutinize the claim of the petitioner for finalizing his entire retiral dues payable to him.
5. Let the entire dues payable to the petitioner be finalized at the earliest preferably within 60 days, failing which the entire amount payable to the petitioner shall carry interest at the rate of 10% per annum from the date of retirement till the date of actual payment. The interest part would be recoverable from the erring official who have not promptly processed the claim of the petitioner and thereby putting the state at an extra burden of payment of interest.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge