

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5259 of 2021

1. Asha Devi Vaishnav W/o Late Shri Yogeshchandra Vaishnav Aged About 51 Years R/o Ward No. 2 Chhuikhdan, District Rajnandgaon Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Forest Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. Pension Department Raipur , District Raipur Chhattisgarh.
3. District Treasury Officer Pension Department, Treasurer, District Rajnandgaon Chhattisgarh.
4. Division Forest Officer Khairagarh, Forest Division, District Rajnandgaon Chhattisgarh.

---Respondents

For Petitioner	:	Shri P. Chetan Kumar, Advocate.
For State	:	Shri Jitendra Pali, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29.09.2021

1. The claim of the petitioner in the present writ petition is for an appropriate direction to the respondents to consider and decide releasing of family pension to the petitioner and also in respect of granting of pension payable to the employee while he was alive, after his retirement till the date of his death.
2. The Husband of the petitioner was working under the respondents No.1 to 4 as a Peon and who retired from service on 31.10.2018. The pension of the Husband of the petitioner was not finalized during his lifetime. He died on 06.10.2019. Thereafter, the petitioner has been approaching the respondents for release of the family pension and also for the pension payable to her Husband between 31.10.2018 to 06.10.2019, however till date the same has not been finalized. Neither has the respondents taken a decision that the petitioner is not entitled for the same.

3. Given the said facts and circumstances of the case this court does not intend to keep this petition pending, rather ends of justice would meet if the respondents No.1 to 4 are directed to ensure that the claim of the petitioner for pension including family pension and arrears be processed at the earliest and the same be settled within an outer limit of 90 days, failing which the entire amount shall carry interest @ 10 percent per annum and the burden of interest which has been casted upon the State would be recoverable from the officers who have not processed the case of the petitioner timely.
4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder