

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5266 of 2021**

Kamlesh Kumar Dwivedi S/o Late S.L. Dwivedi, Aged About 64 Years R/o House No. 1, Behind Om Flats, Rampur, Korba, District Korba Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Water Resource Department, Mahanadi Bhavan, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh.
2. Engineer In Chief, Water Resources Department, Sector-19, Shivnath Bhawan, Atal Nagar, Raipur Chhattisgarh
3. Executive Engineer, Project Implementation Unit, Korba, Chhattisgarh Rural Road Development, Agency, Korba District Korba Chhattisgarh

----Respondents

For Petitioner	:	Mr. Vaibhav P. Shukla, Advocate
For State	:	Mr. Amit Buxy, Panel Lawyer

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

29/09/2021

1. Aggrieved by the inaction on the part of the respondents in finalizing the post retiral benefits to the petitioner the present writ petition has been filed.
2. According to the petitioner, he stood retired from service on the post of Sub-Engineer w.e.f. 29.02.2020. Though more than 18 months have lapsed, the petitioner till date has not been released of his post

retiral benefits except for the provisional pension, which has been recently released.

3. The petitioner makes a clear statement that at the time of his retirement, there was no departmental enquiry or criminal case pending against him, by which the respondents could have withheld the release of the retiral dues.
4. Given the aforesaid factual matrix of the case and also taking note of the fact that the petitioner by now has retired for more than 1½ years, the writ petition at this juncture disposed of directing the respondents No. 2 & 3 to immediately process the claim of the petitioner, so far as his retiral dues are concerned. The entire payable amount be released to the petitioner at the earliest preferably within a period of 45 days from the date of receipt of the copy of this order, failing which the entire amount shall carry interest @10 % p.a. from the date of retirement till the date of actual payment.
5. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved