

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5067 of 2020**

Smt. Tarini Pandey Wd/o Late Shri Ravindra Kumar Pandey, Aged About 55 Years R/o Ward No. 14, Indira Nagar, New Bus Stand, Pali, District Korba Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Education Department, Mantralay, Mahanadi Bhawan, Capital Complex, Nawa Raipur, Atal Nagar, District Raipur Chhattisgarh
2. The Collector Cum District Magistrate, Korba, District Korba Chhattisgarh
3. The District Education Officer, Korba, District Korba Chhattisgarh
4. The Block Education Officer, Pali, District Korba Chhattisgarh
5. The Divisional Joint Director, (Treasury, Account And Pension), Bilaspur Division, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Dharmesh Shrivastava, Advocate
For State	:	Mr. V. R. Tiwari, Addl. AG

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

11/01/2021

1. The present writ petition has been filed seeking for a relief of appropriate direction to the respondents to consider the claim for grant of Death cum Retiral Dues payable to the petitioner and also to give compassionate appointment to the family members who has moved an application in this regard.
2. The facts of the case is that the husband of the petitioner was working as Upper Division Teacher with the respondents who dies in harness on 13.08.2019, immediately thereafter the son of the petitioner had moved an

application for compassionate appointment which is still pending consideration before the authorities concerned. Further contention of the petitioner is that even the Death-cum-retiral dues payable to the petitioner has till date not been finalized.

3. Given the limited grievance that the petitioner has and also the specific contention of the petitioner that application for compassionate appointment not having been finalized nor has the Death cum retiral dues being finalized, the writ petition at this juncture stands disposed of directing the respondent No.3 & 5 to take necessary instructions at the earliest and to ensure that the Death cum retiral dues payable to the petitioner is released at the earliest preferably within a period of 90 days if not paid till now. In case if the petitioner is entitled for any further amount the same has to be released within a period of 90 days failing which the entire unpaid amount shall carry an interest of 10% per annum from the date of the death of the deceased till the actual payment is made. The interest part would be recoverable from the officials who have not promptly processed the claim of the petitioner.
4. So far as grant of compassionate appointment is concerned, respondents No.3 & 4 are directed to ensure that the claim for compassionate appointment is also considered and decided at the earliest preferably within the same period of 90 days.
5. With the aforesaid observation, the petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit