

HIGH COURT OF CHHATTISGARH AT BILASPUR
WRIT PETITION (SERVICE) NO. 4934 OF 2020

S.M Khan, S/o Late Shri Inam Mohamad Khan, aged about 63 years, R/o B-36, Sai Dham colony, Arpa Bridge, Torwa, District Bilaspur (CG)

... Petitioner

versus

1. State of Chhattisgarh, through Secretary, Public Works Department, Sector 19, Mahanadi Bhawan, Atal Nagar, District Raipur (CG)
2. Accountant General, (Accounts & Establishment), Zero Point, Balodabazar Road, District Raipur (CG)
3. Engineer in Chief, Public Works Department, Sarguja Division, Ambikapur, Chhattisgarh.
4. Executive Engineer, Public Works Department, Division Ramanujganj, District Balrampur (CG)

... Respondents

For Petitioner	:	Mr. Anup Majumdar, Advocate.
For Respondents No. 1, 3 & 4	:	Mr. Sudeep Verma, Dy. G.A.
For Respondent No.2	:	Mr. Raj Kumar Gupta, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

19/01/2021

1. Grievance of the Petitioner in the present Writ Petition seems to be the non-releasing of retiral dues payable to him, in spite of the fact that he has been retired from service with effect from 29.2.2020 that is almost an year now.
2. Contention of learned Counsel for Petitioner is that in the GPF account of the Petitioner there seems to be a withdrawal shown of an amount of Rs.90,000/- for the period between 2005-06 and which has not been properly entered and against which there is a correspondence going on between the Petitioner and Respondents. According to learned Counsel for Petitioner, during 2005-06 the Petitioner was not posted at Rajnandgaon from where the alleged withdrawal has been shown. Further, during the relevant period of time in District Rajnandgaon there was another person with the same name working and it appears that the withdrawal was made by the said person and the entry accordingly ought to had been made in his account, rather than, that of the Petitioner who was not working in Rajnandgaon at that point of time. This fact had been got verified by the Respondent authorities and principally they admit that there appears to be a wrong entry made in the GPF account of the Petitioner.

3. Learned Counsel for Respondent No.2 submits that so far as Respondent No.2 is concerned even before retirement of the Petitioner, they had already sanctioned for the releasing of the retiral dues payable to the Petitioner to the tune of Rs.17,65,369/- and as such the Respondent No.2 is not in any manner coming in the way of the release of the retiral dues payable to the Petitioner.

4. Given the aforesaid factual matrix of the case, since the dispute seems to be an alleged withdrawal from the GPF account of the Petitioner during the period 2005-06 in Rajnandgaon, the fact can be decided only by verification of the records; firstly as to whether the Petitioner was posted at Rajnandgaon during the said period and secondly whether there was any withdrawal letter moved by the Petitioner for the same during the relevant period of time. Subject to verification of the same, let the GPF amount also be cleared by the Respondents, at the earliest, preferably within a period of sixty days from the date of receipt of copy of this order.

6. As regards the other retiral dues payable to the Petitioner in terms of Annexure P-2, the same also be subjected to a verification within the same period of sixty days.

7. Needless to mention, if the Petitioner is entitled for any other retiral dues other than what is reflected in Annexure P-2, that would also be settled within a period of sixty days.

8. With the aforesaid observations, the Writ Petition stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE

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