

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5812 of 2021

1. Rajendra Kumar Agrawal S/o Late Shri S. L. Agrawal Aged About 63 Years R/o D/6, Saket Enclave, Mungeli Road Bilaspur, Tahsil and District- Bilaspur (C.G.).

---Petitioner(s)

Versus

1. State of Chhattisgarh Through- Secretary, Water Resources Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District- Raipur (C.G.), Chhattisgarh
2. Engineer In Chief Water Resources Department, Shivnath Bhawan, North Block, Sector- 19, Atal Nagar, Nawa Raipur District- Raipur (C.G.), Chhattisgarh
3. Chief Engineer Hasdeo Basin, Water Resources Department Bilaspur, Tahsil And District- Bilaspur (C.G.), Chhattisgarh
4. Superintendent Engineer Water Resources Circle, Raigarh, District- Raigarh (C.G.), Chhattisgarh
5. Assistant Director Office Of The Joint Director Treasury, Accounts And Pension, Bilaspur Division Bilaspur, District- Bilaspur (C.G.).

---Respondents

For Petitioner	:	Shri Sanjay Kumar, Advocate.
For State	:	Shri Lalit Jangde, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25.10.2021

1. At the outset learned counsel for the petitioner submits that the writ petition as of now may be disposed of directing the respondent authorities to take an appropriate decision on the finalization of the retiral dues payable to the petitioner.
2. According to the petitioner, he stood retired from the post of Executive Engineer w.e.f. 30.06.2020. On retirement, the petitioner has been paid 90 percent of retiral dues and 10 percent have been withheld on the alleged objection of the office of the Accountant General of having been paid two advance increments wrongly in the year, 2001.
3. According to the petitioner, the Department of Water Resources has already made a recommendation in favour of the petitioner holding that the

petitioner has been rightly granted two advance increments and that the same has been strictly in accordance with circular dated 04.04.1987 issued by the erstwhile State of Madhya Pradesh and therefore the writ petition as of now be disposed of directing the respondents to take an appropriate decision in accordance with law and the circulars governing the field at the earliest.

4. Given the limited relief that the petitioner seeks for, the writ petition at this juncture stands disposed of directing the respondents No.2 to 5 to take an appropriate decision on the claim of the petitioner for settlement of retiral dues of the petitioner particularly in respect of non releasing of 10 percent of retiral dues which has been withheld. Let an appropriate decision be taken within an outer limit of 60 days from the date of receipt of copy of this order. While taking a decision, the respondents shall take into consideration the circular of the State Govt. dated 04.04.1987 in respect of increment which has been granted to the petitioner in the year, 2001.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder