

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5284 of 2020**

Vijay Kumar Upadhyay S/o Late Shri Manohar Lal Upadhyay, Aged About 63 Years, Retired Head Master, Govt. Middle School Chachiya Block Korba, District Korba, Presently Resident Of Village Main Road Janjgir, District Janjgir Champa, Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Department Of School Education Department, Mahanadi Bhawan, New Raipur, Chhattisgarh
2. The District Education Officer, District Korba, Chhattisgarh
3. The Block Education Officer, Block Korba, District Korba, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Ashwani Shukla, Advocate
For State	:	Mr. Amit Buxy, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****15.01.2021**

1. The limited grievance that the petitioner has in the present writ petition is the non-finalization of pension and also non-releasing of withheld gratuity of the petitioner on his retirement.
2. According to the petitioner, he has retired from the post of Head Master w.e.f. 31.05.2019 and though he has been given most of the retiral dues, the pensionary benefits and the gratuity have not been finalized and only part gratuity and part pension have been released. According to the petitioner, there is no departmental inquiry initiated or pending

against him at the time of retirement nor is there any recovery proceeding pending against him.

3. Given the aforesaid factual matrix and considering the fact that more than 1 ½ years have passed since the petitioner has retired, the respondents 2 & 3 are directed to take necessary steps ensuring that full pension and the withheld gratuity payable to the petitioner be finalized at the earliest preferably within a period of 90 days from the date of receipt of copy of this order. In the event of the petitioner not being entitled or the amount has been deliberately withheld on account of certain specific reason, the petitioner be intimated in this regard. Let this exercise also be completed within the same period of 90 days.
4. The writ petition accordingly stands disposed of.

Sd/-
P. Sam Koshy
Judge