

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5908 of 2021**

Bhuvan Lal Suraxit S/o Late Malik Ram, Aged About 65 Years,
Retired Additional Commissioner Posted At Municipal Corporation
Bilaspur, Chhattisgarh, R/o Kashyap Colony Gali No. 03, Ward No.
34, Beside Sachdev Sari Center Bilaspur, P. S. City Kotwali, Bilaspur
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, New Mantralaya, Raipur, Chhattisgarh
2. Director, Directorate, Urban Administration And Development, Indravati Bhawan, New Mantralaya, Raipur, Chhattisgarh
3. Joint Director, Department Of Urban Administration And Development, Bilaspur Division, District Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. F. S. Khare, Advocate
For State	:	Mr. Rajendra Tripathi, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****28.10.2021**

1. With the consent of the parties, the matter was heard finally.
2. The contention of petitioner is that the petitioner retired from service on attaining the age of superannuation on 30.04.2018. On the date of retirement the petitioner was not subjected to any disciplinary proceeding nor was there any departmental enquiry either pending or conducted against him nor was he facing a criminal charge anywhere.

Thus, he was entitled for getting the entire retiral dues immediately upon his retirement. However, till date the pension has not been finalized. The gratuity amount, leave encashment so also the benefit of the revision of pay both as far as the benefits of 6th Pay Commission from 01.01.2006 and 7th Pay Commission w.e.f. 01.01.2016 have not been paid. The further contention of petitioner is that he has not been paid the benefit of Samayman Vetanman on completion of 8 years of continuous service on a particular post from 19.07.2010. It has been further intimated by the counsel for petitioner that the petitioner has been running from pillar to post for early settlement of the retiral dues but till date there has been no positive response from the respondents except for the fact that the department has now released 15% of the pension payable to the petitioner i.e. amounting Rs. 20,000/- only.

3. Given the limited grievance that the petitioner has and also considering the submission that there was no departmental inquiry, criminal case or any other proceedings pending against the petitioner nor was there any order of recovery pending against the petitioner anywhere, the writ petition at this juncture stands disposed of directing the respondents to ensure that the entire admissible retiral dues payable to the petitioner be forthwith scrutinized and settled within a period of 60 days from the date of receipt of copy of this order. The payment also be made to the petitioner within the said stipulated period. In the event the petitioner is denied for the retiral dues for no fault on his part and the retiral dues is not settled within the period of 60 days, the entire retiral dues shall carry interest @ 10% per annum which shall be recoverable from the concerned

officers who have not promptly processed the retiral dues payable to the petitioner.

4. The writ petition accordingly stands disposed of.

**Sd/-
(P. Sam Koshy)
Judge**