

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5232 of 2020

1. Smt. Ganeshmati @ Ganeshmoti W/o Anand Ram Bariha Aged About 75 Years Address Village Kishanpur Post Kishanpur, Tahsil Pithora, District Mahasamund Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Department of Education Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh.
2. District Education Officer District Mahasamund Chhattisgarh.
3. Block Education Officer Pithora, District Mahasamund Chhattisgarh.

---Respondents

For Petitioner	:	Ms. Aditi Singhvi, Advocate.
For State	:	Ms. Akanksha Jain, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14.01.2021

1. The grievance of the petitioner in the present writ petition is non settlement of death cum retiral dues payable to the petitioner, the widow of the deceased employee late Anand Ram Bariha.
2. According to the petitioner, the husband of the petitioner was working as a Headmaster. He died in harness on 03.11.2002, however, inspite of more than 18 years having been lapsed, the petitioner till date has not received single penny by way of death cum retiral dues. The petitioner till date has not been either intimated by the respondents for completion of any formalities for releasing of death cum retiral dues and she is being made to run from pillar to post for both ends to meet.
3. The respondents are expected to act as a model employer and upon death of an employee under the respondents, particularly in a case where the deceased was working as a Headmaster, the respondents ought to have ensured that all the dues admissible to the widow and the legal heirs of the deceased employee should had been promptly processed and settled.

There does not seem to be any reasons reflected from the pleadings by which the petitioner seems to be not entitled for any of the dues.

4. Under the circumstances, the writ petition at this juncture stands disposed of with a direction to the respondents No.2&3 to ensure that death cum retiral dues payable to the petitioner, subject to all verification so far as entitlement is concerned, be concluded within a period of 120 days and the entire admissible dues should be released to the petitioner within the aforesaid period, failing which any amount payable to the petitioner would carry interest @ 10 percent per annum from the date of death of the deceased till the actual payment is made.
5. The respondents would also be at liberty to initiate appropriate recovery proceedings and also disciplinary proceedings, if need so arises, in respect of any officer who has deliberately not processed the claim of the petitioner.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder