

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 28 of 2021**

Ramesh Kumar Sharma S/o Lt. Dev Prasad Sharma Aged About 64 Years Retired As Assistant Engineer, Department Of Water Resources, Baikunthpur, District - Koriya (Chhattisgarh) R/o Dev Parvati Bhawan, Behind Dream Land School, Shakti Vihar, Arvind Nagar, Sarkanda, Bilaspur (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Water Resources, Mahanadi Bhawan, Mantralaya, P.S. And P.O. - Rakhi, Atal Nagar, Raipur, District- Raipur (Chhattisgarh)
2. The Engineer-In-Chief Water Resources Department, Shivnath Bhawan, Atal Nagar, Raipur (Chhattisgarh)
3. The Chief Engineer Hasdeo Ganga Kachhar, Water Resources Department, Ambikapur (Chhattisgarh)
4. Executive Engineer Water Resources Division Baikunthpur, District- Koriya (Chhattisgarh)
5. The Sub Divisional Officer (E And M) Sub Division, Baikunthpur, District- Koriya (Chhattisgarh)
6. Accountant General Directorate Of Treasury Accounts And Pensions, Raipur, District- Raipur (Chhattisgarh)
7. Treasury Officer Department Of Treasury Accounts And Pensions, Koriya, District- Koriya (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Sameer Behar, Advocate
For State	:	Mr. Kapil Maini, Panel Lawyer
For Respondent No.6	:	Mr. Rajkumar Gupta, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****29/01/2021**

1. The grievance of the petitioner in the present writ petition is the non-releasing of the GPF amount payable to the petitioner, who has retired from service w.e.f. 30.06.2018. The further grievance of the petitioner is also that though he has retired more than 2½ years

back, till date he is only getting an anticipatory pension of 90%. The balance of 10% also has to be finalized. Likewise, the respondents have not paid the salary for the last two months of service that he has rendered, which again till date has not been released inspite of repeated requests being made by the petitioner. In addition the petitioner further submits that on retirement he would also be entitled for the increment, which he was entitled for, for having served for the period between 01.07.2017 to 30.06.2018.

2. The counsel for the petitioner submits that there is no departmental enquiry or criminal case or any recovery proceedings outstanding against the petitioner to his knowledge and thereby there is no reason, why these amount should not had been promptly released to the petitioner. He further submits that even otherwise, even the 90% monthly pension, which the petitioner is being released, is not being released regularly, it is being released intermittently.
3. Given the limited relief that the petitioner has sought for, the writ petition at this juncture stands disposed of directing the respondents No.2, 3, 4, 6 & 7 to immediate scrutinize the dues payable to the petitioner on his retirement and ensure that the unpaid admissible dues are released to the petitioner including that of GPF, the unpaid two months of salary, the settlement of the pension, it can also be in respect of his entitlement for the increment for the last year of service that he has rendered, within an outer limit of 90 days from the date of receipt of the copy of this order. In case if the Department fails to release the said amount within the said period of 90 days, the entire unpaid admissible

amount shall carry interest @10% per annum, which shall be recoverable from the erring officials, who do not promptly process the claim of the petitioner.

4. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved