

HIGH COURT OF CHHATTISGARH AT BILASPUR

Contempt Case (C) No. 1061 of 2019

1. S. S. Thakur S/o Late Shri Pancham Singh Thakur Aged About 63 Years Occupation Sub Inspector (M) (Retired) under the Superintendent of Police, (PTS) Mana, Raipur R/o Ward No. 11, Anand Nagar, P.S. Mana Camp, District- Raipur, Chhattisgarh.

---Petitioner(s)

Versus

1. Subrat Sahoo Through Secretary, Home Police Affairs and Finance Department, Mahanadi Bhawan, Atal Nagar Raipur, Chhattisgarh.
2. D.M. Awasthy Director General of Police, Police Head Quarter, Atal Nagar Raipur, District- Raipur, Chhattisgarh.
3. Nandlal Karodiya Superintendent of Police, Police Training School (PTS) Mana, Raipur, District- Raipur, Chhattisgarh.
4. Mohd. Imran Khan Joint Director, Treasury, Account and Pension Raipur, District- Raipur, Chhattisgarh.

---Respondents

For Petitioner	:	Shri Prakash Tiwari, Advocate.
For Respondent No.3	:	Ms. Sunita Jain, Advocate.
For Respondent No.4	:	Shri Somkant Verma, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13.08.2021.

1. The present contempt petition has been filed alleging non compliance of the order dated 11.04.2019 passed by this court in WPS No.2778 of 2019.
2. The writ petition was challenging an order of recovery. This court while hearing the writ petition had allowed the petitioner and had set aside the order of recovery and also directed the respondents to finalize the retiral dues at the earliest. The present contempt petition now has been filed alleging non settlement of dues.
3. Today when the matter is taken up for hearing, the counsel for the respondent No.3 submits that substantial payments on different heads have already been released to the petitioner. She further submits that GPF amount was paid on 09.07.2018, Leave Encashment, the amount under the GIS and also under Family Welfare Fund were released on

07.07.2018. Arrears of the 7th Pay Commission was also released on 27.01.2020. In addition, 1st and 2nd Time Scale Pay were also released on 27.01.2020. Further contention of respondent No.3 is that the petitioner has also been released the anticipatory pension of 90 percent from 27.08.2019 onwards. The counsel for the respondent No.3 further submits that subject to the petitioner appearing before the respondents and submitting the requisite formalities and signing the papers as are required, the entire remaining dues shall also be promptly cleared subject to the pension authorities also clearing the dues payable to the petitioner.

4. The counsel for the petitioner submits that the petitioner has been approaching the authorities time and again, but the authorities have not acceded to his request and have always harassed the petitioner by not settling the same on some reason or the other.
5. Be that as it may, considering the submissions made by the counsel for the petitioner and also taking note of the submission made by the counsel for the respondent No.3, this court is of the opinion that the present contempt petition can be disposed of at this juncture directing the petitioner to approach the respondent No.3 on 18.08.2021 along with all the requirement as was asked for by the respondents vide their correspondence to the petitioner dated 13.03.2020. Upon the petitioner furnishing and completing the formalities as sought for in the letter of the respondent No.3 dated 13.03.2020, the respondents are further directed to ensure that the entire amount now left to be settled which includes the final pension as also the settlement of the dues under DCRG and other dues, if any, would be settled within a further period of 45 days from the date the petitioner completes the formalities.

6. The counsel for respondent No.4 is also directed to ensure that whatever admissible dues are left, are also processed and cleared at the earliest within the stipulated period given by this court.
7. The right of the petitioner stands reserved for approaching the court in case if the order passed by this court today is still not complied with.
8. The contempt petition accordingly stands disposed of.
9. Certified copy today.

Sd/
(P. Sam Koshy)
Judge

inder