CGHC010170442025 2026:CGHC:43275

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3456 of 2025

Lalit Jaiswal S/o Late Shyamlal Jaiswal Aged About 57 Years R/o Village Rouha, Dhobghatti, Pandariya, District Kawardha (C.G.)

... Petitioner

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versus

1 - Chhattisgarh Rajya Gramin Bank Through The General Manager, Head Office Raipur, Chhattisgarh.

2 - Regional Manager Chhattisgarh Rajya Gramin Bank, Regional Office, Bilaspur, Chhattisgarh.

3 - Director Pension And Provident Fund, Government Of Chhattisgarh, Directorate Of Pension, Old Age Welfare, Raipur, Chhattisgarh.

... Respondents

For Petitioner	:	Mr. Parth Shrivastava, Advocate.
For Respondent Nos.1 and 2	:	Mr. N. Naha Roy, Advocate
For State		Ms. Sakshi Bajpai, Panel Lawyer

Hon’ble Shri Bibhu Datta Guru, Judge

Order on Board

06/10/2026

1. By the present writ petition, the petitioner is seeking a direction towards the respondent authorities to release the pension or compassionate allowance to him and also seeking quashment of letters dated 07/02/2025 and 04/03/2025.

2. Learned counsel for the petitioner submits that by the impugned communication, the claim of the petitioner for pension has been rejected on the ground that the disciplinary authority imposed the punishment of removal from service under Regulation 39(2)(b)(v) of the Chhattisgarh Rajya Gramin Bank (Officers and Employees) Service Regulations, 2013 (for short, 'the Regulations, 2013'). Though in the order of removal itself (Annexure P-1), the disciplinary authority has observed that the petitioner is entitled to pension and gratuity as per his entitlement. Learned counsel further submits that after removal of the petitioner, though the amount of gratuity has been released, the respondents have rejected the claim for pension by the impugned communication, which is under challenge before this Court.

3. Learned counsel for the respondents by referring to Regulation 29 of the Chhattisgarh Rajya Gramin Bank (Employees) Pension Regulations, 2018 (for short, 'the Regulations, 2018'), submits that an employee who is dismissed or removed or terminated from service, shall forfeit his pension. Learned counsel further submits that, in view of Regulation 29 of the Regulations, 2018, since the petitioner has been removed from service, he is not entitled to pension. Accordingly, the petitioner’s claim for pension has been rejected in accordance with the aforesaid Regulation, 2018. It is, therefore, submitted that there is no illegality or infirmity in the communication

whereby the petitioner's claim for pension has been rejected. Learned counsel further submits that, so far as gratuity is concerned, the petitioner is entitled thereto, and the same has already been paid to him. Thus, there is no dispute with regard to the payment of gratuity.

4. I have heard learned counsel for the parties and perused the pleadings on record as well as the relevant provisions of the Regulations, which provide for disqualification from entitlement to pension.

5. Regulation 29 of the Regulations, 2018, reads as under:—

"(1) An employee, who is dismissed or removed or terminated from service, shall forfeit his pension:

Provided that the authority higher than the authority competent to dismiss or remove or terminate him from service may, if -

(i) such dismissal, removal, or termination is on or after the effective date; and

(ii) the case is deserving of special consideration, sanction a compassionate allowance not exceeding two-thirds of the pension which would have been admissible to him on the basis of the qualifying service rendered upto the date of his dismissal, removal, or termination.

(2) The compassionate allowance sanctioned under the proviso to sub-regulation (1) shall not be less than the amount of minimum pension payable under regulation 34."

6. As per Regulation 29 of the Regulations, 2018, an employee who is dismissed, removed or terminated from service shall forfeit his pension. So far as the status of the petitioner is concerned, there is no dispute that the petitioner was removed from service by the Disciplinary Authority by exercising the power conferred under the Regulations, 2013.

7. From a perusal of the order passed by the Disciplinary Authority, whereby the petitioner was removed from service, it appears that the punishment was imposed with an observation that the petitioner would be entitled to pension and gratuity as per his entitlement. However, so far as the petitioner's entitlement to pension is concerned, the same would be governed by Regulation 29 of the Regulations, 2018. The said Regulation specifically provides that an employee who is dismissed or removed from service shall forfeit his pension. Therefore, upon his removal from service, the petitioner is not entitled to pension in view of the specific provision contained in Regulation 29 of the Regulations, 2018.

8. Having regard to the provisions contained in Regulation 29 and considering the facts and circumstances of the present case, the impugned order does not suffer from any illegality or infirmity. The decision of the Bank rejecting the petitioner's claim for pension is in consonance with Regulation 29 of the Regulations, 2018. The same is just and proper warranting no interference of this Court.

9. Accordingly, the present writ petition is **dismissed**.

SD/-

(Bibhu Datta Guru)
Judge

Amardeep