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SINGLE BENCH

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (S) NO. 2048 /2010

PETITIONER

Radhe Shyam Das S/o late Jagdeo
Das, aged about 69 years, R/o
Village Chaveli, Post Khaprikhurd,
Tahsil and District Rajnandgaon
C.G.

VERSUS

RESPONDENTS

1. The State of Chhattisgarh through
the Secretary Education
Department, DKS Bhawan
Raipur C.G.
2. The Accountant General,
Chhattisgarh, Near Bus Stand,
Pandri, Raipur, (C.G.)
3. The District Education Officer,
Rajnandgaon, District
Rajnandgaon C.G.

2090/2010
24.11.2010
Dashrath Prasad Patil



WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA FOR ISSUE OF AN
APPROPRIATE WRIT IN THE NATURE OF
MANDAMUS/CERTIORARI ETC. OR
DIRECTION/ORDER IN THE LIKE NATURE ETC.

MAY THIS PLEASE TO YOUR LORDSHIP,

The humble petition of the petitioner named above most
respectfully sheweth: -

1. PARTICULARS OF THE PETITIONER.

As mentioned in the cause title.



34

HIGH COURT OF CHHATTISGARH AT BILASPUR
WRIT PETITION (S) No. 2048 of 2010

PETITIONER : Radhe Shyam Das.

VERSUS

RESPONDENTS : State of Chhattisgarh & Others.

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA
SB: Hon'ble Shri Satish K. Agnihotri, J.

Present: Shri Dashraath Prajapati, Advocate for the petitioner.
Shri Shashank Thakur, Panel Lawyer for the State.
Shri Anand Verma, Advocate for the respondent No. 2.

ORDER (ORAL)

(Passed on 30th day of April, 2010)

1. Learned counsel appearing for the petitioner submits that the case, being payment of retiral benefits matter, may be referred to the pension committee.
2. This Court, in the matter of W.P. No. 4642/2004 (*Bajjnath Mandal v. The State of Chhattisgarh & Others*) and other connected matters, directed the Committee to consider the matter of retiral dues as the disputed question of facts were involved. The Committee was constituted by the State Government, pursuant to the order dated 19.06.2006 passed in W.P. No. 1961/2006 (*Smt. Keja Bai Chandrakar Vs. State Government and others*) and order dated 13.03.2008 passed in M.C.C. No. 105 of 2008 (*State of Chhattisgarh & Others v. Bajjnath Mandal and another*). Thus, this petition is squarely covered by the judgment and order dated 31st of January, 2008 passed in W.P. No. 4642/2004 *Bajjnath Mandal (supra)* as submitted by learned counsel appearing for the parties.
3. With the consent of the parties, this petition is accordingly disposed of in the same terms i.e. the office of the Advocate General is directed to send the case to the Committee, within a period of 15 days from the date of receipt of a copy of the petition from the petitioner and this order. Thereafter, the Committee shall issue notice to the petitioner and the officers concerned, within a further period of 15 days. The Committee shall consider and pass order, in accordance with law, after affording proper opportunity of hearing to the petitioner. The petitioner and the officers concerned may file additional documents, if necessary. The entire exercise, including payment of retiral dues, if any, to the petitioner be completed within a period of four months from the date of receipt of a copy of this order.
4. The petitioner shall supply extra copy of the petition to the learned counsel appearing for the respondents for forwarding the same to the Committee.

Sd/-
Satish K. Agnihotri
Judge