

Writ Petition No. 4709/2010 (S)

31.1.2013

Shri A.K. Mishra, learned counsel for the petitioner.

Shri A.K. Sharma, learned Panel Lawyer for respondents.

Heard.

Petitioner, wife of deceased Vishwanath Mishra, vide this petition seeks direction to respondents to pay revised pension w.e.f 1.1.1986. Husband of the petitioner was employed as Forest Guard, Forest Division Mandla when he retired w.e.f 31.7.1987 on attaining the age of superannuation. He expired on 18.9.2002. That, there were some dispute regarding fixation of his pension; however, before the same could be settled, he expired.

From the return and additional submissions made on behalf of respondents it appears that only provisional pension was sanctioned. There is no details regarding refixation of pay of deceased and the revision of pension thereof. Return and additional submissions are merely eyewash and does not deal at all with the grievance raised by the petitioner.

Therefore, while imposing cost of Rs.2000/- on the respondents, petition is disposed of with direction to respondent No. 4 Principal Chief Conservator of Forest to meticulously examine the case of the petitioner and redress her grievance within three months from the date of communication of this order. The petitioner, if found entitled for the arrears the same be paid within the said period along with interest @ 7.5 % from the date of entitlement. Regarding

cost of Rs.2000/- the respondents would be at liberty to recover the same from the officer concerned in not filing appropriate return.

Petition is disposed of in above terms. Cost as above.

(SANJAY YADAV)
JUDGE

VT/-