

WP-11231-2010

(GAYA PRASAD SAHU Vs THE STATE OF MADHYA PRADESH)

31-03-2016

Shri D.K. Pandey, learned counsel for the petitioners.

Shri Divesh Jain, learned Government Advocate for the respondents/ State.

The petitioners have filed this petition for the following reliefs:-

- (1) This Hon'ble Court be pleased to direct the respondents to immediately finalize the matter and make payment of the amount to which the petitioners are entitled with interest @ 12% per annum.
- (2) Any other relief deemed fit be also granted.
- (3) Cost of the petition.

Because the question is in regard to payment of certain amount to the petitioners and the respondent no. 5 Accountant General in his reply has admitted the fact that the petitioners are the retired persons. Hencek with the consent of parties, the petition is disposed of at the motion hearing stage.

Accountant General in its reply pleaded that the petitioners were retired. Prior to their retirement, arrears of 5th pay commission were not deposited in their GPF account, hence, the same could not be paid by the department in cash along with the interest. It is not disputed that the petitioners were eligible to get arrears of 5th Pay Commission .

In this view of the matter, this writ petition is disposed of with a direction that the concerned department/respondents shall consider the entitlement of the petitioners to receive the arrears of 5th Pay Commission and fact that whether it was to be deposited in their GPF

account and pass a detailed reasoned order in this regard and if it is found that the petitioners are eligible, the amount be deposited in the GPF account of the petitioners and the same be paid to the petitioners in accordance with law. Necessary orders be passed in this regard within a period of three months from the date of receipt of copy of this order.

The petition is disposed off accordingly.

No order as to costs.

(S.K. GANGELE)
JUDGE

MISHRA