

(2008) 01 CHH CK 0019
In the Chhattisgarh High Court

Bajnath Mandal and Others

APPELLANT

Vs

State of Chhattisgarh and Others

RESPONDENT

Date of Decision : 31-01-2008

Acts Referred:

Citation : (2008) 3 MPHT 56

Hon'ble Judges : Satish K. Agnihotri, J

Bench : Division Bench

Judgement

Satish K. Agnihotri, J.

This batch of matters deal with the non-payment, late payment, less payment of retiral dues, interest thereon, i.e., pension, gratuity, G.P.F. etc. of the retired employees.

1. Learned Counsel appearing for the petitioners submit that on 19-6-2006 in W.P. No. 1961/2006 (Smt. Keja Bai Chandrakar v. State Government and Ors.), this Court passed the following order:

?In turn, the A.G. Office is getting incorrect information and not able to give authority letter at the time of retirement of an employee, therefore, a committee consisting of following officers is constituted:

- (1) Special Secretary (Finance), Chairman,
- (2) Any officer of the rank of Additional Secretary of Law Department, (Member),
- (3) Director, Treasury, Accounts and Pension, (Member),
- (4) Deputy Accountant General (Funds), Member,
- (5) Joint Secretary (General Administration Department, State of Chhattisgarh), Member-cum-Secretary.

2. Learned Counsel appearing for the respondents submit that pursuant to the above order a Committee, consisting by the above-stated officers has been

constituted to look into the grievances of the retired employees, in respect of retiral dues.

3. Learned Counsel appearing for the State as well as learned Counsel appearing for the Accountant General, further submit that the said Committee is in existence and all the disputes, raised by the petitioners in this batch of petitions, may be decided by the said High Power Committee, within prescribed time.

4. In this batch of petitions, the disputed questions of facts with regard to the retiral dues (supra) are involved, which cannot be decided by this Court, as the disputed questions of facts can be resolved by the High Power Committee (supra) in consultation with the retired employees and the concerned officers. Thus, I am of the considered opinion that it would be just and expedient to direct the above Committee, so constituted, to look into the disputes and pass appropriate orders, in accordance with law.

5. Accordingly, the office of the Advocate General is directed to send all the cases to the Committee, within a period of 15 days from the date of receipt of a copy of this order. Thereafter, the Committee shall issue notice to the aggrieved retired employees 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 employees concerned. The employees concerned and the officers concerned may file additional documents, if necessary. The entire exercise, including payment of retiral dues (supra), if any, to the employees concerned, be completed within a period of four months from the date of receipt of a copy of this order.

In view of the foregoing, all the petitions are disposed of. No order as to costs.