
(2018) 03 CHH CK 0253
In the Chhattisgarh High Court
Case No : WPS No. 5900 of 2010

KISHUN SINGH DHANKAR

APPELLANT

Vs

STATE OF CHHATTISGARH AND ORS.

RESPONDENT

Date of Decision : 23-03-2018

Acts Referred:

Citation : (2018) 03 CHH CK 0253

Hon'ble Judges : P. SAM KOSHY

Bench : Single Bench

Advocate : B. Gopa Kumar, Anand Shukla

Final Decision : Allowed

Judgement

1. The challenge in the present writ petition is the order passed by the High Power Retrial Dues Committee; hereinafter referred to as 'the

Committee', constituted by the State Government dealing with the grievances of the pensioners.

2. The challenge by the Petitioner, is that the Petitioner subsequent to his attaining the age of 70 years he was entitled for the full pension as the

commuted pension was to be i.e. covered only till he attained the age of 70 years. The Petitioner attained the age of 70 years on 06.05.2002 and

subsequently he has not been granted the full pension.

3. Perusal of the record would show that the present petition is a second round of litigation. The Petitioner on earlier round of litigation had filed

WP(S) No.2493 of 2009 which stood disposed of on 08.07.2009, whereby the case of the Petitioner was sent to the Committee constituted in this

regard. It was ordered that the Petitioner also would be granted opportunity of hearing by the Committee while passing the order. Thereafter, the

matter was placed before the Committee, which in turn has passed the impugned order dated 21.08.2009, which is under challenge in the present writ

petition. Perusal of the record would show that the Petitioner himself did not appear before the Committee rather he has sent his son, namely, Sewak

Ram Dhankar before the Committee and before the Committee it was the contention of the claimant that the Petitioner is not being provided pension

as per the order of the Treasury Officer dated 19.02.2004. The Committee submits that they had called upon the Officer from the Bank, Shri Gopal

Singh Mehra, the Branch Manager of the Bank of Maharashtra, and who had stated before the Committee that the Petitioner infact is being provided

with the pension as per the order of Treasury Officer dated 19.02.2004.

4. The perusal of the record also reveals that the Treasury Officer in his order dated 19.02.2004 had specifically ordered to the Bank Manager that

since the Petitioner had attained the age of 70 years on 06.05.2002, he shall be paid the enhanced pension and the enhanced pension was of Rs.240/-

more than that he was earlier getting. Further Annexure P/6 is again document annexed alongwith the petition which has been issued by the Treasury

Officer, wherein it has been specifically held that subsequent to 06.05.2002, the Petitioner who was earlier drawing the pension of Rs.1,986/- would be

entitled for the enhanced pension of Rs.2,226/- per month and it was ordered accordingly.

5. Given the aforesaid factual matrix, this Court does not find any further grievance of the Petitioner left to be adjudicated upon and the writ petition

accordingly stands disposed of. However, it is directed that if for any reason the authorities have not paid the Petitioner the pension of Rs.2,226/-, they

shall ensure that the Petitioner is paid the pension of Rs.2,226/- per month with effect from 06.05.2002 onwards and also all subsequent revisions, if

applicable to the Petitioner.

6. The writ petition is thus partly allowed, stands disposed of.