
(2018) 04 CHH CK 0345
In the Chhattisgarh High Court
Case No : Writ Petition (S) No.5618 of 2012

Smt.Baisakhin Bai

APPELLANT

Vs

State Of Chhattisgarh And Ors.

RESPONDENT

Date of Decision : 27-04-2018

Acts Referred:

Citation : (2018) 04 CHH CK 0345

Hon'ble Judges : P. SAM KOSHY, J

Bench : Single Bench

Advocate : Lav Sharma, Raj Kumar Gupta

Final Decision : Disposed of

Judgement

1. The challenge in the present writ petition is to the order dated 16.08.2012 whereby a recovery notice has been communicated to the petitioner

showing a deficit balance in the GPF account of the petitioner to the tune of Rs.2,47,548/-.

2. The grievance of the petitioner is that, the petitioner stood retired from service as Upper Division Teacher on 31.05.2007. He submits that

immediately after the retirement, the petitioner had been paid all retiral dues also. However, subsequently the impugned order dated 16.08.2012 have

been issued showing negative balance of the aforesaid amount from the GPF account of the petitioner and which has been ordered for recovery from

the monthly pension payable to the petitioner @ Rs.2146/- per month.

3. The petition was entertained and stay of recovery was granted in favour of the petitioner on 27.12.2012 and which is still in operation.

4. The reply of respondent shows that negative balance perhaps has been shown on account of certain withdrawals made by the petitioner not having

been properly accounted in the GPF account of the petitioner.

5. Given the aforesaid facts and circumstances of the case, this court is of the opinion that it would be more appropriate if the entire case of the

petitioner is scrutinized by the committee constituted by the State Govt. for redressal of disputes pertaining to pension and retiral dues. Let the case of

the petitioner be referred to the Committee promptly who in turn, after affording an opportunity of hearing to the petitioner shall tally the accounts

maintained in the office of the Accountant General with the GPF account maintained in the office of respondent-employer. The respondent-employer

shall mandatorily provide and produce the entire service records of the petitioner particularly dealing with the GPF account before the scrutiny

committee so as to reach to a proper finding.

6. Till the Committee scrutinizes the case of the petitioner and passes a fresh order after affording an opportunity of hearing to the petitioner, the

effect and operation of recovery notice dated 16.08.2012 shall remain stayed.

7. Accordingly, the petition stands disposed of.