



2026:CGHC:12420



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1109 of 2026

1 - Bharat Lal Sharma S/o Late Chouthram Sharma Aged About 80 Years R/o Maharana Pratap Road, Press Gali, Pachri Para, Durg, Tahsil And Distt. Durg, Chhattisgarh.

2 - Smt. Chandrakala Sharma W/o Bharatlal Sharma Aged About 74 Years R/o Maharana Pratap Road, Press Gali, Pachri Para, Durg, Tahsil And Distt. Durg, Chhattisgarh.

... Petitioners

versus

1 - Smt. Mithilesh Sharma Wd/o Late Dilip Sharma (Peon), Working As Peon At Family Court Raipur, Distt. Raipur, Chhattisgarh.

2 - Principal Judge Family Court, Raipur, Distt. Raipur, Chhattisgarh.

3 - Registrar General High Court Of Chhattisgarh, Bodri, Bilaspur, Distt. Bilaspur, Chhattisgarh.

... Respondents

(Cause title, as taken from CIS system)

For Petitioners	:	Mr. H.B. Agrawal, Sr. Advocate assisted by Mrs. Preeti Yadav, Advocate
For Respondent Nos.2 & 3	:	Mr. R. S. Marhas, Advocate with Ms. Shweta Mishra, Advocate on advance copy.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

16/03/2026



1. Heard.
2. This petition has been preferred by petitioners under Article 226 of the Constitution of India seeking following reliefs:-

“10.1 That, the Hon’ble Court may kindly be pleased to allow the petition by ensuring payment of maintenance amount as per Clause-1 of order dated 27.08.2022 (Annexure P-1) issued by Respondent No.3 and present employer Respondent No.2 be directed to deduct the salary and transfer the maintenance allowance i.e. 1/3rd of the gross salary of the Respondent No.1 in joint account of petitioners (Annexure P/14) and also after taking consent, deduct the arrears month-wise also within stipulated period, so that petitioners should not starve for want of maintenance allowance being senior citizens of India, in the interest of justice.

10.2 Any other relief, which this Hon’ble Court may deem fit and proper in the facts and circumstances of the case of the petitioner.

10.3 Cost of petition.”

3. Learned counsel for the petitioners submits that respondent No.1 was granted compassionate appointment on account of the death of son of petitioners. However, respondent No.1 was not providing any amount for the livelihood of the petitioners. Therefore, the petitioners made a complaint to the Principal Judge, Family Court, Raipur (respondent No.2), on the basis of which, departmental proceeding was initiated against the respondent No.1 and she was terminated from service. Subsequently, respondent No.1 filed an appeal, which was allowed vide Annexure P-1 dated 27.08.2022 by respondent No.3, stipulating the condition that respondent No.1 shall pay 1/ 3rd of her gross salary as maintenance cost to the petitioners, who are her parents-in-law.



Thereafter, respondent No.1 paid some amount to the petitioners, but subsequently again stopped making the payment, therefore, the petitioners submitted a representation dated 22.04.2025 (Annexure - P/10) to Respondent No.3 seeking payment of 1/ 3rd of the monthly salary of respondent No.1, along with the outstanding dues of 20 months. Hence, learned counsel prays that the present petition may be admitted for hearing.

4. In reply, learned counsel for the respondent Nos.2 & 3 submits that, in pursuance of the representation dated 22.04.2025 (Annexure -P/10), an order has been passed and Memo No.4315/D.E., Bilaspur dated 26.02.2026 has been issued by respondent No.3 to the Principal Judge, Family Court, Raipur (respondent No.2) directing him to deduct 1/ 3rd amount of salary of respondent No.1 and deposit the same in the account of the petitioners (parents-in-law) every month towards their maintenance.
5. In view of the above submissions made by respondent Nos.2 & 3, it appears that some grievance of the petitioners has been redressed. However, with regard to the non-payment of the outstanding amount of 20 months, learned counsel for respondent Nos.2 & 3 could not apprise anything to the Court. Therefore, the present petition is disposed of at this stage, granting liberty to the petitioners to file a fresh representation before respondent No.2 within one week from today, along with a copy of this order, for redressal of their grievance pertaining to the outstanding dues of 20 months of unpaid maintenance amount by respondent No.1. It is further observed that, in the event of filing such representation by the petitioners, respondent No.2 shall decide the same within a further period of 45 days from the date of



receipt of the representation, in accordance with law. If required, respondent No.2 may also seek instructions in this regard from respondent No.3.

6. With aforesaid observations and directions, this writ petition stands **disposed of**.
7. Pending interlocutory application(s), if any, also stands disposed of. No order as to cost(s).

Sd/-
(Naresh Kumar Chandravanshi)
Judge