

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Writ Petition (S) No. 1809 of 2019

Shesh Kumar Kshatri **Versus** State of Chhattisgarh & others

14.03.2019	Shri Soumya Rai, counsel for the petitioner. Shri Rahul Mishra, Dy. G.A. for the State. The petition is admitted for hearing. Since all the respondents are represented through the State counsel, issuance of notice to them stands dispensed with. Heard on I.A. No.01 for grant of interim relief. Counsel for the petitioner submits that the petitioner retired from service on 31.07.2018 and the impugned order of recovery has been issued on 19.12.2018 i.e. after about 5 months from the date of retirement. He submits that before issuance of recovery notice, no opportunity of hearing has been granted to the petitioner. Even otherwise, the amount of recovery ordered to be made is roughly about Rs.90,000/- but his entire retiral dues including pensionary benefits have not been released on this count. Given the facts, respondent no.2 is hereby directed to ensure that the retiral dues payable to the petitioner including pensionary benefits should be released to the petitioner forthwith if he is entitled for the same under the rules and regulations. It is made clear that while releasing the retiral dues, the amount of recovery shall be retained by the respondents till finalization of the present writ petition and the remaining amount should be released to the petitioner at the earliest. Sd/- (P. Sam Koshy) JUDGE