



2026:CGHC:14920

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 2900 of 2026**

**1 - Dilip Singh Kushwaha S/o Late Shri Nathu Singh Aged About 64 Years  
R/o G-46, Sinchai Colony Rudri, District- Dhamtari Chhattisgarh**

**... Petitioner****versus**

**1 - State Of Chhattisgarh Through The Secretary, Department Of Horticulture,  
Mantralaya, Atal Nagar, Nava Raipur, Distt. Raipur, Chhattisgarh**

**2 - Director Directorate Horticulture And Farm Forestry 4th Floor, Block- 2,  
Hod Building, Indrawati Bhawan Nava Raipur Atal Nagar, District- Raipur,  
Chhattisgarh**

**3 - Principal Accountant General Chhattisgarh Zero Point, Baloda Bazar  
Road, P.O. Vidhan Sabha, Distt. Raipur, Chhattisgarh**

**4 - Assistant Director Horticulture District- Dhamtari Chhattisgarh**

**5 - District Treasury Officer Dhamtari, District Dhamtari, Chhattisgarh**

**... Respondent(s)**

(Cause title is taken from CIS)

|                       |                                  |
|-----------------------|----------------------------------|
| For Petitioner        | : Mr. B.P. Singh, Advocate       |
| For Respondents-State | : Mr. Shahil Singh, Panel Lawyer |
| For Respondent No.3   | : Mr. Rajkumar Gupta, Advocate   |

**SB: Hon'ble Shri Parth Prateem Sahu, Judge****Order on Board****01/04/2026**

1. Petitioner has filed this writ petition seeking following reliefs:-

*“10.1. That this Hon’ble Court may be pleased to issue an appropriate writ, order or direction directing the respondents to release the remaining 10% of the petitioner’s pension and gratuity along with all consequential retiral dues in favour of the petitioner forthwith.*

*10.2. That this Hon’ble Court may be pleased to further direct the respondents to pay interest on the delayed payment of the petitioner’s retiral dues at a rate deemed fit by this Hon’ble Court from the date it became due till the date of actual payment.*

*10.3. That this Hon’ble Court may be pleased to grant any other relief which this Hon’ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice. ”*

2. Learned counsel for the petitioner submit that while working on the post of Assistant Director, Horticulture, the petitioner was regularized and retired from the service on 30.11.2024 on attaining the age of superannuation. It is the contention of the counsel for the petitioner that at the time of retirement the pension is fixed to the tune of 90% and has also paid only 90% towards the amount of pension. He submits that there is no enquiry pending against the petitioner during his service period. Upon issuance of notice by the respondent No.2, the petitioner has submitted reply and thereafter he again submitted a detailed representation to reply the notice issued by the respondent No.2 on 10.03.2025, however, till date the respondent No.2 has not taken decision for release of the remaining amount due to the petitioner, i.e. gratuity and not passed order for disbursing the arrears of the pension and full pension to the petitioner. It is the contention of the counsel for the petitioner that a direction be issued to the respondent No.2 to consider and take

decision on the representation submitted by the petitioner at the earliest within a specific time period.

3. Learned State counsel submits that as petitioner is not pressing this petition on merits and only seeking a direction to consider and take decision on the representation, he is having no objection to the limited prayer made.
4. On due consideration of submission made by the learned counsel for the respective parties, looking to the nature of grievance raised by the petitioner with a prayer for directing respondent No.2 to consider and take decision on the representation submitted by the petitioner with the prayer clause of disbursement of the remaining amount of the gratuity i.e. 10% and the arrears of the pension of 10% as also the prayer for directing to disburse the 100% pension to the petitioner for which he is entitled for, in accordance with law expeditiously within further period of 2 months from the date of receipt/production of a certified copy of this order.
5. With the aforesaid observation and direction, this writ petition stands finally **disposed of**.

Sd/-

**(Parth Prateem Sahu)**  
Judge