



Order Sheet

WPS No. 3362 of 2020Umesh Pathak **Versus** State Of Chhattisgarh,

WPS/3439/2020

31/08/2020	Shri Harshal Chouhan, counsel for the petitioner. Ms. Akanksha Jain, Dy. GA for the State. Heard on I.A. Nos.1 for grant of interim relief. In WPS No.3362 of 2020 the issue is regarding non-payment of pension and not releasing the retiral dues and in WPS No.3439 of 2020 the issue pertains to issuance of recovery order dated 13.07.2020. Since both the matters are interconnected, therefore, the common order is passed. The contention of the petitioner is that he retired from the post of Accountant Grade-I on 31.08.2019 despite that till date the pension/retiral dues of the petitioner has not yet been settled instead a recovery order dated 13.07.2020 has been passed whereby the amount of Rs.1,56,865/- was sought to be recovered without any enquiry or giving any opportunity of hearing to the petitioner. Learned counsel for the petitioner would submit that the recovery has been made after retirement of the petitioner that too without giving any opportunity of hearing and till date the pension has not been paid to the petitioner, therefore, it is very difficult for the petitioner to survive.



2026:CGHC:12434

I have heard learned counsel for the petitioner and perused the documents

Learned State counsel is directed to file reply.

In the meanwhile, it is directed that the undisputed amount of the retiral dues of the petitioner including the interim pension shall be released in favour of the petitioner within a period of 30 days from the date of receipt of the copy of this order. Prima facie the documents show that the recovery order has been made without giving any opportunity of hearing to the petitioner, therefore, it is further directed that till the next date of hearing there shall be stay of the recovery of the amount of Rs.1,56,865/- from the petitioner and it would be subject to the final decision of this Court.

List it after six weeks.

Sd/-

Goutam Bhaduri

Judge

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