2026:CGHC:4264

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 8675 of 2023

Rashid Mohammad S/o Fazal Mohammad Aged About 63 Years R/o Village 13/ 200 Ekta Chowk Ward No. 13, Talapara Bilaspur District Bilaspur (C.G.)

... Petitioner

versus

1 - State Of Chhattisgarh Through Secretary Electricity / Engineering Light Machinery Department Raipur Chhattisgarh

2 - Accountant General (Account Branch) Raipur Chhattisgarh

3 - Executive Engineer Electricity Engineering Light Machinary Tube Well And Get Division Bilaspur Chhattisgarh

4 - Sub Divisional Officer Electricity Engineering Light Machinery Tubewell And Get Division Sakri Bilaspur (C.G.)

... Respondents

(Cause-title taken from Case Information System)

For Petitioner	:	Mr. Shubham Tripathi, Advocate
For Respondents-State	:	Mr. Sangharsh Pandey, Government Advocate
For Respondent No.2	:	Mr. Raj Kumar Gupta, Advocate

Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

23.01.2026

1. By way of this petition, the petitioner has prayed for following reliefs:-

> *"10.1 That the Hon'ble court may kindly be pleased to order and direct the respondent authority to provide the remaining retrial dues*

of an amount of 3,51,889/- along with interest to the petitioner.

10.2 Any other relief, which may deem fit and proper in the facts and circumstances of the case, may also be allowed."

2. Learned counsel for the petitioner submits that the petitioner retired on 31.05.2021 after serving as a Truck Driver with the respondent-department and became entitled to his full retiral dues, particularly the General Provident Fund (GPF) amounting to ₹10,24,698/-. However, despite issuance of a letter dated 04.06.2021 for processing final payment, the respondent authorities released only a partial amount of ₹2,56,548/-, unlawfully withholding the balance sum of ₹7,68,148/- without any justification. It is further submitted that repeated representations dated 26.08.2021 and 30.10.2021, supported by the A.G. report and relevant records, failed to evoke any response. Consequently, the petitioner approached Co-ordinate Bench of this Court in W.P.(S) No. 2905 of 2022, wherein directions were issued on 11.05.2022 to grant a personal hearing and take a reasoned decision within 60 days. Despite the said directions, the respondents continued to delay and thereafter released only ₹4,17,107/-, still withholding a balance amount of ₹3,51,889/- along with admissible interest. It is contended that the continued non-payment of the petitioner's lawful retiral dues and interest is arbitrary, and contrary to settled principles of law governing retiral benefits, thereby warranting interference by this Court.

3. On the other hand, learned State counsel submits that the petitioner retired on 31.05.2021 from the post of Driver under the office of Executive Engineer, E/M Light Machinery, Tube-Well and Gate Division, Sakri, District Bilaspur (C.G.). After retirement, the case of the petitioner for pension and other retiral dues was duly processed by Respondent No.3 and, after due verification by the office of the Divisional Joint Director, Treasury, Accounts and Pension, Bilaspur, the admissible retiral dues were released to the petitioner in the year 2021. He further submits that the petitioner's claim regarding non-payment of GPF is based upon a provisional Accountant General slip showing a balance of ₹10,24,696/-, which was expressly subject to adjustment. Pursuant to directions issued by Co-ordinate Bench of this Court in W.P.(S) No. 2905 of 2022, the Accountant General, Chhattisgarh issued an authority letter dated 28.07.2022 for payment of GPF amount of ₹4,17,106/-, which was duly paid to the petitioner by Respondent No.3. The payment details stand duly demonstrated by the record placed on Annexure R/1.

4. It is lastly submitted that all requisite records relating to GPF deductions were supplied to the Accountant General by Respondent No.3 vide letter dated 05.07.2022 and, as per the AG slip, no missing deduction exists in the petitioner's GPF account as on 31.03.2022. Thus, the petitioner has already been paid the admissible GPF amount in accordance with rules, and no further amount is payable. Hence, the petition deserves to be dismissed.

5. Learned counsel for respondent No.2 submits that the instant petition has been filed by the petitioner, a retired Truck Driver and GPF Account Holder No. CIRR/50079, alleging non-payment of a balance GPF amount of ₹3,51,889/- on the basis of a provisional account slip. It is submitted that the Principal Accountant General (A&E), Chhattisgarh is the statutory authority responsible for maintaining GPF accounts of State employees on the basis of schedules and debit vouchers received through the treasuries from the respective Drawing and Disbursing Officers (DDOs). It is further submitted that after the petitioner's retirement on 31.05.2021, the final payment case was duly processed on receipt of the complete records from the DDO, and an amount of ₹2,56,548/- with interest up to July, 2021 was initially authorized. Upon receipt of the petitioner's representations alleging short payment, the case was reviewed and it was found that several monthly GPF subscriptions were missing from the records. Accordingly, repeated requisitions were made to the department for verified schedules and, after receipt of the required documents in July, 2022, the residual amount of ₹4,17,106/- with interest up to July, 2021 was duly authorized and released in favour of the petitioner.

6. Learned counsel submits that the balance reflected in the GPF account slip relied upon by the petitioner was expressly provisional and subject to verification and adjustment at the time of final settlement. Due to non-availability of records relating to certain earlier withdrawals made by the petitioner, the provisional account slip reflected an overstated balance. After due verification of withdrawals and postings, the entire admissible GPF amount has already been authorized and paid to the petitioner, and no further amount is legally due, rendering the present petition devoid of merit.

7. I have heard learned counsel for the parties and perused the documents annexed with the writ petition.

8. Given the nature of dispute involved in the present case, which pertains to determination of the correct amount of General Provident Fund payable to the petitioner at the time of retirement and the rival claims raised on the basis of provisional account slips, missing credits and alleged prior withdrawals, this Court is of the considered opinion that the matter requires a factual verification by examining original records. Therefore, it is deemed appropriate that the grievance of the petitioner be placed before the High Power Committee constituted by the State Government for redressal of disputes relating to pension and retiral dues.

9. Accordingly, the High Power Committee is directed to consider the case of the petitioner and, in the course of such consideration, to call for and examine the original GPF passbook maintained with the employer-department, the GPF records/passbook maintained in the office of the Accountant General, as well as any relevant record available with the petitioner. The Committee shall also scrutinize the entire service record so as to ascertain the actual and correct amount of GPF payable to the petitioner as on the date of his retirement.

10. The aforesaid exercise shall be undertaken and completed by the High Power Committee within a period of three months from the date a certified copy of this order is placed before it. The Committee shall further ensure that, before taking any final decision, the petitioner is afforded an adequate opportunity of hearing and is permitted to place his contentions along with relevant documents, if any, on record.

11. With the aforesaid observations and directions, the instant writ petition stands **disposed of**, without expressing any opinion on the merits of the rival claims.

Sd/-

(Amitendra Kishore Prasad)
Judge

Yogesh