



2025:CGHC:10950



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 8458 of 2019

1 - Ramayan Prasad Yadav S/o Late Ram Prasad Yadav Aged About 62 Years Retired Revenue Inspector, Office Of Collector (Land Records), Korba, District Korba Chhattisgarh, District : Korba, (C.G.)

... Petitioner

versus

1 - State Of Chhattisgarh Through Secretary, Revenue Department, Manralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District Raipur Chhattisgarh, District : Raipur (C.G.)

2 - Collector (Land Records) Korba District Korba Chhattisgarh, District : Korba (C.G.)

... Respondents

For Petitioner	:	Mr. C.J.K. Rao, Advocate
For Respondents	:	Mr. Amandeep Singh, Panel Lawyer.

Hon'ble Mr. Justice Naresh Kumar Chandravanshi

Order on Board

05/03/2025

1. This petition under Article 226 of the Constitution has been preferred by the petitioner seeking issuance of direction to respondents authorities to settle retiral dues of the petitioner including gratuity, GPF, leave encashment and family pension of the petitioner alongwith interest @ 10% per annum.



2. Learned counsel appearing for the petitioner submits that the petitioner while working as Revenue Inspector retired on attaining the age of superannuation on 31.07.2019, but final settlement of retiral dues along with pension was not made by respondent authorities, therefore, he has filed instant petition. He submits that after retirement of the petitioner, no amount of pension, gratuity, leave encashment was made to the petitioner, but after filing instant petition, the petitioner was granted 90% anticipatory pension, 90% GPF, gratuity and leave encashment have been provided to the petitioner, but rest of the amount has not been provided him yet merely on the ground that his service book is misplaced. He further submits that since 2019, respondent authorities have deprived him from his complete retiral dues and even after lapse of about 6 years, his service book has not been reconstructed yet, therefore, learned counsel for the petitioner submits that this petition may be disposed of directing respondents to reconstruct service book of the petitioner within stipulated period and provide him complete pension and all retiral dues .

3. Learned counsel for the State while referring to its reply would submit that initially the petitioner was posted at District Sidhi (M.P.) in the erstwhile State of Madhya Pradesh, thereafter, in the year 1998, he was posted in the office of Collector, Korba, District Korba (the then District Bilaspur) but due to non-availability of service record of the petitioner in the office of Collector, Korba, his retiral dues could not be finalized fully, however, 90% anticipatory pension, 90% GPF, gratuity and leave encashment have already been given to the petitioner. He submits that communication has been made to the District Collector, Sidhi (M.P.) for providing personal record of the petitioner, but service book of the petitioner has not been reconstructed yet. However, he submits that prayer made by counsel for the petitioner may be allowed.



4. I have heard learned counsel for the parties and perused the material available on record.

5. Admittedly, the petitioner retired from service in the year 2019. His service book is said to be misplaced, but even after lapse of 6 year of retirement of petitioner, his service book has not been re-constructed yet. How long a retired employee can be left in pendulum without deciding his retiral dues, that too, without his fault. If service book of the petitioner has been misplaced, then within six year period, it ought to have been re-constructed, but the same has not been done yet.

6. Having considered aforesaid facts and prayer made by counsel for the petitioner, this petition stands disposed of directing respondents to re-construct service book of the petitioner within a period of three months and all remaining retiral dues alongwith full pension be paid to him.

7. With the aforesaid observations & directions, the writ petition stands disposed of.

Sd/-

(Naresh Kumar Chandravanshi)
Judge

Amit/-