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WP-17470-2022

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VISHAL DHAGAT

ON THE 6th OF JANUARY, 2026WRIT PETITION No. 17470 of 2022*ANIL KUMAR SHUKLA**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Ms. Anchan Pandey - Advocate for petitioner.

Shri Praveen Namdeo - Government Advocate for State.

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ORDER

Petitioner has filed Writ Petition under Article 226 of Constitution of India making a prayer to grant family provisional pension, leave encashment and other consequential benefits to petitioner.

2. It is submitted by counsel appearing for petitioner that petitioner has been convicted in Criminal Case No.5/2017 by judgment dated 31/12/2019. Petitioner was held guilty of committing offence under provisions of Prevention of Corruption Act. In view of same, services of petitioner has been terminated. It is submitted that some of the dues of petitioner like leave encashment, General Provident Fund and G.I.S. cannot be withheld. It is also submitted that petitioner is entitled to subsistence allowance.

3. Government Advocate appearing for State opposed the prayer and submitted that no such prayer is made in the Writ Petition and no opportunity is granted to State Government for filing of reply over aforesaid aspects. In



view of same, said prayer cannot be considered.

4. Heard counsel for the parties.

5. Petition is disposed off directing petitioner to file a detailed representation before competent authority. Competent authority shall consider the case of petitioner for release of benefits which cannot be forfeited on conviction of petitioner in criminal case. Such benefits like leave encashment, G.I.S. and G.P.F. may be released in favour of petitioner after considering representation of petitioner, if petitioner is found entitled and said benefits cannot be withheld. Representation be filed within period of 15 days from the date of receipt of certified copy of order passed today. Order be communicated to petitioner within period of 90 days from the date of receipt of representation. It is made clear that this Court has not expressed any opinion on merits of the case.

6. Petition is disposed off accordingly.

(VISHAL DHAGAT)
JUDGE

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