

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 1795 of 2016**

N. Tirkey S/o Shri Pius Tirkey, aged about 63 years, R/o Opposite
Rest House, Kunkuri, District Jashpur, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, Water Resources Department, D.K.S. Bhawan, Raipur, Chhattisgarh
2. The Accountant General, Office of Accountant General, Post Mandhar Zero Point, Raipur, Chhattisgarh
3. Superintending Engineer, Water Resources Division, Raigarh, Chhattisgarh
4. Superintending Engineer, Shyam Barnai Project Circle, District Ambikapur, Chhattisgarh
5. Executive Engineer, Water Resources Division, Jashpur, Chhattisgarh
6. The Joint Director, Treasury Bilaspur, District Bilaspur, Chhattisgarh,

---- Respondents

For Petitioner	:	Ms. Pragya Pandey, Advocate
For Respondents/State	:	Shri Satish Gupta, Govt. Advocate
For Respondent no.2	:	Shri R. K. Gupta, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****19/02/2018**

The present writ petition has been filed seeking for a limited prayer of a direction to the respondents to revise the pay scale payable to the petitioner as per the 6th Pay Commission recommendations.

2. The reply of the State has also been filed and the State does not dispute the fact that the petitioner being an employee of the State Govt. would be entitled for the benefits of 6th Pay Commission.

3. Given the facts and circumstances of the case, particularly taking note of the fact that the petitioner has retired w.e.f. 29.02.2012, the present writ petition stands disposed of with a direction to the respondents to consider the case of the petitioner for grant of the benefits both, the arrears of payment so also the pensionary benefits applying 6th Pay Commission recommendation as has been paid to the regular Govt. employees by the State Govt. of Chhattisgarh, of course subject to the verification of the entitlement of the petitioner for the same.

4. Let the petitioner produce the order of this Court and a detail representation in respect of his grievance before respondent no.1 who in turn shall scrutinize the case of the petitioner and issue necessary instruction to the concerned Officer to expeditiously dispose of the claim of the petitioner.

5. If for any reason, the Department reaches to the conclusion that the petitioner is not entitled, they shall intimate the petitioner in writing giving reason as to why he is not entitled for. The respondent no.1 can also, if required, call upon the petitioner in person to verify the facts. Let an appropriate decision be taken within a period of four months from today.

**Sd/-
(P. Sam Koshy)
JUDGE**