

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.2140 of 2018**

B.S. Bhandari S/o Late Bholu Nath Bhandari Aged About 63 Years Retired As Assistant Conservator Forester Forest Training School Jagdalpur (Bastar) R/o H. No. 36/56, Guru Govind Singh Ward Behind Vargees Colony Aghanpur, Dharampura, Police Station Jagdalpur (Bastar) District Bastar Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through The Principal Secretary Department Of Forest, Mantralaya Mahanadi Bhawan Naya Raipur Police Station Rakhi District Raipur Chhattisgarh.
2. The Principal Chief Conservator Of Forest, Government Of Chhattisgarh Raipur Aranya Bhawan Raipur District Raipur Chhattisgarh.
3. The Chief Conservator Of Forest Forest Circle Jagdalpur Bastar District Bastar Jagdalpur Chhattisgarh.
4. The Divisional Forest Officer Jagdalpur Bastar District Jagdalpur Chhattisgarh.
5. The Joint Director, Treasury, Account and Pension Bastar Division District Bastar (Jagdalpur) Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri JN Nande, Advocate.
For Respondent-State	:	Shri Shashank Thakur, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25/04/2018**

1. The grievance of the petitioner is that though he has been retired with effect from 31.05.2017, the retiral dues which were paid to him has been made as per 6th pay commission whereas, pay scale has been revised w.e.f. 01.01.2017 on the recommendation of the 7th pay commission. Therefore, pension and pensionary benefits should be paid to him as per the recommendation of the 7th pay commission.

2. The State counsel refers to the contents of document filed along with reply (Annexure R/1) dated 12.04.2018 wherein recommendation in this regard has already been made by the Divisional Forest Officer, Division Bastar, stating that the said recommendation would be payable to the petitioner and an appropriate instructions have been issued to the office of the Joint Director, Treasury, Accounts & Pension, and the same should be released to the petitioner at the earliest.
3. In the light of the above document dated 12.04.2018 (Annexure R/1), this court is not inclined to keep this petition pending any further and it is directed that the respondents No.4&5 shall ensure that pension and pensionary benefits payable to the petitioner would be calculated as per recommendations of the 7th pay commission. The revised pension, arrears of pension and other dues be paid to the petitioner preferably within a period of three months from the date of receipt of certified copy of this order.
4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge