

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3695 of 2018**

Vijay Shankar Dubey S/o Shivkank Dubey, aged about 63 years,
Address House No. 15/186, Kedarpur Bhatti Road, Trikon Chowk,
Ambikapur, District Sarguja, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through its Secretary, Cooperative Department, Mantralay, Naya Raipur, Chhattisgarh
2. Registrar, Cooperative Society, Raipur, Chhattisgarh
3. Assistant Registrar, Cooperative Society, (Audit), Raipur, Chhattisgarh
4. Joint Registrar, Cooperative Society, Sarguja Division, Ambikapur, Chhattisgarh
5. Chief Executive Officer, Janpad Panchayat, Bageecha, District Jashpur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Parag Kotecha, Advocate
For Respondent/State	:	Shri Adhiraj Surana, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16.05.2018**

The present writ petition has been filed seeking for multiple reliefs, foremost being the petitioner has not been granted pensionary benefits at revised rate so far as the enhancement of DA has been made periodically after revision of pension w.e.f. 01.07.2016 on wards. In addition, the petitioner has also claimed for certain special allowances that he was entitled for while working in tribal areas between 1981 to 1986.

2. So far as the claim for special allowances for the period that he had

worked in tribal areas is concerned, the same is raised by the petitioner after more than 30 years from the date he is alleged to have entitled for. Moreover, the petitioner retired from service on 31st January, 2016 that means from 1981 to 2016, the petitioner while in service has never raised any claim so far as these allowances are concerned. On the ground of delay itself, the said claim of the petitioner stands negated and the relief sought for stands rejected.

3. However, so far as the benefit of pension at revised rate with the periodical rise in DA is concerned, the petitioner definitely is entitled for the same. If the said benefit has not been given to the petitioner till now, the same should be processed by respondents 2 to 4 at the earliest preferably within a period of 60 days from the date of receipt of certified copy of this order. It shall be the responsibility of the petitioner to bring the order of this Court to the notice of respondents 2 to 4.

4. Our rejection of the claim so far as special allowances are concerned would not preclude the petitioner from availing other remedies available to him.

5. The Writ Petition thus stands partly allowed.

Sd/-
P. Sam Koshy
Judge