

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3979 of 2019

Ravishankar Pandey S/o Shri D.P. Pandey Aged About 63 Years
R/o House No. 305 (643/1) Behind At Gupta Sweets Kamla Nehru
Nagar, Jabalpur, Madhya Pradesh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Water Resources
Irrigation Department, Mantralaya Mahanadi Bhawan Naya Raipur
2. Engineer-In-Chief Mahanadi Godawari Kachar Irrigation Department
Raipur, District Raipur Chhattisgarh
3. Executive Engineer Jal Sansadhan Evam Bhu Jal Sarvekshan
Mandal Raipur, District Raipur Chhattisgarh
4. Executive Engineer Light Machiner Hand Pump And Gates Division
Raipur, District Raipur Chhattisgarh
5. Joint Director Account Treasurer And Pension Branch Raipur,
District Raipur Chhattisgarh

---Respondents

For Petitioner	:	Mr. Prakash Mishra, Advocate.
For State	:	Mr. Rahul Mishra, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17/05/2019

1. According to the petitioner, he has retired from service of the
respondents with effect from 30.06.2018 on attaining the age of
superannuation.
2. The grievance of the petitioner is that since he has retired from
service on 30.06.2018 while granting the pension, petitioner should

have been given the benefit of one increment which fell due to the petitioner for having worked for the period till 30.06.2018.

3. Counsel for the petitioner in support of his contention has brought to the notices of this Court the Division Bench decision of the Madras High Court in the case of P. Ayyamperumal Vs. The Registrar and Ors., decided on 15.09.2017 and which has been affirmed by the Supreme Court vide its order dated 23.07.2018.
4. Given the aforesaid facts that the petitioner has worked till 30.06.2018 before retirement, the petitioner would be entitled for the increment that he was otherwise entitled for with effect from 01, July for the service rendered in the previous years. This increment ought to have been added by the Authority while deciding the pension and pensionary benefit and the salary has to be treated what it would have been adding one increment to his previous salary.
5. The petitioner in this regard has made a detailed representation to the respondent No. 1 & 2 to take a decision on the representation which the petitioner has made in this regard. In case, if the petitioner has made a representation in this regard to the respondent no. 1 & 2, let the petitioner make a fresh representation in this regard and respondent No. 1 & 2 in turn shall take a decision on the said representation at the earliest preferably within a period of 90 days from the receipt of fresh representation that the petitioner would make.
6. The writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge